

**Council Meeting****AGENDA NO. 15/10**

**Meeting Date:** Tuesday 28 September 2010  
**Location:** Council Chambers, Level 6  
**Time:** 7.30pm

**Note:** *This meeting will be recorded on audio tape for minute-taking purposes as authorised by the Local Government Act 1993.*

**NOTICE OF BUSINESS**

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#### **NOTICES OF RESCISSION**

NIL

**MM09/10: KOREAN FLAG RAISING EVENT**  
**The Mayor, Artin Etmekdjian****File Number: D10/72299**

I have received a request from the Korean Consulate General requesting that the City of Ryde conduct a flag raising event in celebration of Korean National Foundation Day (3 October 2010).

They state that they consider City of Ryde as one of their most important partners in Sydney due to our large Korean community and being home to Hyundai's Sydney Headquarters.

As the actual day is in the middle of the long weekend, it is recommended that the event be held on Tuesday, 5 October 2010. The event would last around 10 minutes and I am suggesting it be conducted at 9.30am at the front of the Civic Centre. Following the event a light morning tea would be offered in the Mayoral Suite.

The Korean Consulate General's office have advised that they will provide the flag.

This request raises the possibility of similar events that could be conducted for other National or commemorative days, particularly those represented within the City of Ryde community. As a result, I am recommending that a report be provided to Council at its meeting to be held 12 October 2010 outlining a possible program of similar small scale events.

**RECOMMENDATION:**

- (a) That Council host a small scale flag raising event with the Korean Consulate General on Tuesday, 5 October 2010.
- (b) That the General Manager provide a report to the Council Meeting to be held 12 October outlining a possible program of flag raising events to be held on appropriate national or commemorative days.

**ATTACHMENTS**

There are no attachments for this Mayoral Minute.

**Artin Etmekdjian**  
**The Mayor**



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**1 CONFIRMATION OF MINUTES - Council Meetings held on 24 August and 14 September 2010**

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**Report prepared by:** Senior Administration Co-ordinator

**Report dated:** 16 September 2010 **File No.:** GRP/10/3/001/6 - BP10/568

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**RECOMMENDATION:**

That the Minutes of Council Meeting 13/10, held on Tuesday 24 August 2010, and the Minutes of Council Meeting 14/10, held on Tuesday 14 September 2010, be confirmed.

**ATTACHMENTS**

- 1 Minutes of meeting held on 24 August 2010
- 2 Minutes of meeting held on 14 September 2010

**ITEM 1 (continued)****ATTACHMENT 1**

City of Ryde

**Council Meeting****MINUTES OF MEETING NO. 13/10**

**Meeting Date:** Tuesday 24 August 2010  
**Location:** Council Chambers, Level 6  
**Time:** 7.30pm

**Councillors Present:** The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, Li, Maggio, O'Donnell, Petch, Perram, Pickering, Salvestro-Martin, Tagg and Yedelian OAM.

**Apologies:** Nil

**Staff Present:** General Manager, General Counsel, Group Manager – Community Life, Group Manager – Environment & Planning, Acting Group Manager - Public Works, Manager Environment, Manager Buildings and Property, Manager Finance, Manager Governance, Media & Community Relations Officer and Councillor Support Co-ordinator.

**PRAYER**

Reverend Steve Hales of West Ryde Baptist Church was present and offered prayer prior to the commencement of the meeting.

**DISCLOSURES OF INTEREST**

Councillor Tagg declared a less than significant non-pecuniary interest in Item 19 – RYDE CITY BOWLING CLUB CO-OPERATIVE LIMITED (IN LIQUIDATION) for the reason that he used to be a member of Ryde Bowling Club.

**PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

The following person addressed the Council:-

No.	Name	Item
1	Doris Carrall	4 – Extension of Top Ryder Community Bus Service

**MAYORAL MINUTES**

There were no Mayoral Minutes.

**ITEM 1 (continued)**  
**COUNCIL REPORTS****ATTACHMENT 1****1 CONFIRMATION OF MINUTES - Council meeting of 10 August 2010**

**RESOLUTION:** (Moved by Councillors Petch and Etmekdjian)

That the Minutes of the Council Meeting 12/10, held on Tuesday 10 August 2010, be confirmed.

**Record of Voting**

For the Motion: Unanimous

**SUSPENSION OF STANDING ORDERS**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Pickering)

That Standing Orders be suspended, the time being 7.41pm, to allow Councillor Yedelian OAM to move a Matter of Urgency.

**Record of Voting:**

For the Motion: Unanimous.

**MATTER OF URGENCY – FEDERAL MEMBER FOR BENNELONG**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Pickering)

That Council write to the newly elected Federal Member for Bennelong, The Hon. Mr John Alexander, MP, congratulating him on his election and also to Ms Maxine McKew thanking her for her service as Federal Member for Bennelong.

**Record of Voting:**

For the Motion: Unanimous.

**RESUMPTION OF STANDING ORDERS**

**RESOLUTION:** (Moved by Councillors Petch and O'Donnell)

That Standing Orders be resumed the time being 7.42pm.

**Record of Voting:**

For the Motion: Unanimous.

**ITEM 1 (continued)****ATTACHMENT 1****2 CONFIRMATION OF MINUTES - Works & Community Committee Meeting held on 17 August 2010**

**RESOLUTION:** (Moved by Councillors Tagg and Petch)

That Part A of the Works and Community Committee Report No. 07/10, held on 17 August 2010, be dealt with in seriatim and Part B be noted as dealt with under delegated authority.

**Record of Voting:**

For the Motion: Unanimous.

**MINUTES OF THE WORKS AND COMMUNITY COMMITTEE NO. 07/10****4 PEDESTRIAN CROSSING**

**RESOLUTION:** (Moved by Councillors Tagg and Petch)

- a) That Council staff liaise with Replas Pty Ltd to obtain a suitable quotation for the supply and installation of a pedestrian bridge at Buffalo Creek in Barton Reserve.
- (b) A further report be prepared for the Committee's consideration following receipt of the quotation.

**Record of Voting:**

For the Motion: Unanimous.

**5 DEEBLE STREET – Landscaping Works**

**RESOLUTION:** (Moved by Councillors Tagg and Petch)

- a) That this matter be deferred to allow for negotiations between Council and the owner of 70A Champion Road with the view to leasing the road area, and that following these negotiations a further report be prepared for the Works & Community Committee's consideration.
- (b) That the owners of 70 Champion Road be advised that Council will defer consideration of their request until the matter at 70A Champion road is determined.

**Record of Voting:**

For the Motion: Unanimous.

**ITEM 1 (continued)****ATTACHMENT 1****6 COMMUNITY GARDENS**

**RESOLUTION:** (Moved by Councillors Tagg and Yedelian OAM)

- a) That Council reaffirms its bottom up approach to the establishment of any new community gardens by offering support to interested community groups.
- b) That Council endorse the establishment of the community garden at Macquarie Hospital and approve the community endemic plant nursery at Santa Rosa Park.
- c) That provision for community gardens be included in a future Plan of Management for Neighbourhood Parks.
- d) That the draft Community Gardens policy be revised and submitted for the Committee's consideration within the next three (3) months.

**Record of Voting:**

For the Motion: Unanimous.

**7 REQUEST FOR WAIVER OF FEES FOR YOUTH COMMUNITY EVENT AT TUCKWELL PARK**

**RESOLUTION:** (Moved by Councillors Tagg and Petch)

- (a) That as a special circumstance the request by Rock 180 for the waiver of fees equalling \$337 for ground hire of Tuckwell Park and additional waste bins on Saturday 4 September be approved.
- (b) That a refundable bond of \$1,000 be charged to cover any additional costs that could be incurred as a result of the hire.
- (c) That Rock 180 be advised that in future they are required to apply to the City of Ryde Council through the Grants Program.

**Record of Voting:**

For the Motion: Unanimous.

**8 RYDE TRAFFIC COMMITTEE - Minutes of Meeting held 5 August 2010**

**RESOLUTION:** (Moved by Councillors Tagg and Perram)

- (a) That recommendations No. 1 to No. 19 inclusive, contained in the Minutes of the Ryde Traffic Committee Meeting held on 5 August 2010, be endorsed and adopted as resolutions of Council with the amendments below, which were considered in seriatim.
- (b) There is a financial impact associated with the construction of a pedestrian



**ITEM 1 (continued)****ATTACHMENT 1**

refuge along Princes Street, at the Blaxland Road intersection (Refer Item 13 of the Ryde Traffic Committee Minutes). The estimated construction cost is \$20,000 and will be funded through Council's 2010/2011 Capital Works Program under the category "Traffic Facilities Construction – Pedestrian Refuge Islands".

**Record of Voting:**

For the Motion: Unanimous.

**1 PAUL STREET, MCGREGOR STREET, DAVID AVENUE, NORTH RYDE  
Request for one (1) hour parking.**

**Motion:** (Moved by Councillors Tagg and Perram)

That no action be taken.

**Amendment:** (Moved by Councillors Campbell and Yedelian OAM)

That Council trial for one year, one (1) hour parking in Paul Street, McGregor Street and David Avenue as recommended in the consultant's report.

The Amendment was put and **LOST** with five (5) votes for and seven (7) votes against.

**Record of Voting**

For the Amendment: The Mayor, Councillor Butterworth and Councillors Campbell, Li, Salvestro-Martin and Yedelian OAM

Against the Amendment: Councillors Etmekdjian, Maggio, O'Donnell, Perram, Petch, Pickering and Tagg

The Motion was put and **CARRIED** with eight (8) votes for and four (4) votes against.

**RESOLUTION:** (Moved by Councillors Tagg and Perram)

That no action be taken.

**Record of Voting**

For the Motion: The Mayor, Councillor Butterworth and Councillors Etmekdjian, Maggio, O'Donnell, Perram, Petch, Pickering and Tagg

Against the Motion: Councillors Campbell, Li, Salvestro-Martin and Yedelian OAM

**2 WATERVIEW STREET, PUTNEY – Trailer Parking at Kissing Point Park  
and Bennelong Park, Putney.**

**ITEM 1 (continued)****ATTACHMENT 1****RESOLUTION:** (Moved by Councillors Tagg and Petch)

That Council install sign posting within the trailer parking area advising of “Car plus Trailer Parking only” and notify trailer owners accordingly.

**Record of Voting:**

For the Motion: Unanimous.

**11 PITTWATER ROAD, GLADESVILLE – Request for a Pedestrian Crossing – Marked or Signalised.****RESOLUTION:** (Moved by Councillors Tagg and Petch)

- (i) That Council take no action to install a “marked” pedestrian crossing or pedestrian actuated signalised pedestrian crossing in Pittwater Road, between Harvard Street and Venus Street, Gladesville.
- (ii) That Council advise Hunters Hill Council that Ryde Traffic Committee doesn’t support the provision of a “marked” pedestrian crossing or pedestrian actuated signalised pedestrian crossing in Pittwater Road, between Harvard Street and Venus Street, Gladesville, as the RTA warrants are not met.
- (iii) That a further review be undertaken and a report provided for the Committee’s consideration in 6 months.

**Record of Voting:**

For the Motion: Unanimous.

**12 ANDREW STREET, MELROSE PARK – Angled Slow Points.****RESOLUTION:** (Moved by Councillors Tagg and Petch)

- (i) That Council investigate new traffic management options along Andrew Street, between Adelaide Street and Macintosh Street, with at least one option considering the following:
  - Raised thresholds.
  - A physical barrier to stop vehicles ‘cutting’ the inside corner along Andrew Street, in the vicinity of the residence at No. 20 Andrew Street.
  - “Local Traffic Only” and/or “3T Load Limit” signage.
  - Raised pavement markers.
  - Resurfacing of sections of Andrew Street.
  - Provision for safe cycling
- (ii) The NSW Police to undertake an intensive enforcement program in the area to mitigate the incidence of speeding.

**ITEM 1 (continued)****ATTACHMENT 1****Record of Voting:**

For the Motion: Unanimous.

**13 PRINCES STREET, RYDE – Pedestrian Refuge.**

**RESOLUTION:** (Moved by Councillors Tagg and Petch)

- (i) That Council does not install pedestrian crossing in Princes Street due to lack of warrants set by the RTA.
- (ii) That Council approve modified pedestrian refuge with kerb blisters on Princes Street at Blaxland Road intersection as detailed in the Report with bollards installed at the adjacent kerb ramps.
- (iii) That the residents be advised of Council's decision.
- (iv) That a further report be prepared for the Committee's consideration in 6 months.

**Record of Voting**

For the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, Li, Maggio, O'Donnell, Perram, Petch, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillor Pickering

**16 MACQUARIE PARK CBD – Additional Bus Zones, Macquarie Park.**

**RESOLUTION:** (Moved by Councillors Tagg and Petch)

- (i) That Council note that Council's staff, Sydney Buses (State Transit Authority) and the ComfortDelgro CabCharge (Hillsbus & Westbus) are working together on the details to settle on suitable bus zone locations within Macquarie Park.
- (ii) That the request for additional bus zones be re-tabled at the next meeting of the Ryde Traffic Committee to be held on 16 September 2010.
- (iii) That a further report be prepared for the Committee's consideration.

**Record of Voting:**

For the Motion: Unanimous.

**ITEM 1 (continued)****ATTACHMENT 1****11 EASTWOOD WOMENS REST CENTRE, HILLVIEW ROAD - Country Women's Association Licence Agreement**

**RESOLUTION:** (Moved by Councillors Tagg and Petch)

- (a) That Council grant a licence to the Eastwood Epping Branch of the Country Women's Association of NSW, over the premises at Eastwood, for a period of 5 years, commencing 1 July 2010, on the terms and conditions outlined in this report.
- (b) That the licence be notified as per S 47A of the *Local Government Act*, 1993.

**Record of Voting:**

For the Motion: Unanimous.

**COUNCIL REPORTS****3 MOTIONS PUT WITHOUT DEBATE**

**RESOLUTION:** (Moved by Councillors Petch and Tagg)

That the Items be considered in seriatim.

**Record of Voting:**

For the Motion: Unanimous.

**4 EXTENSION OF TOP RYDER COMMUNITY BUS SERVICE**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Salvestro-Martin)

- (a) That Council approve an extension of the Top Ryder Community Bus Service until the end of the 2010/2011 financial year under current operating conditions.
- (b) That Council actively pursue sponsorship and advertising opportunities to cap Council's costs in operating the service at \$100,000 per annum in 2011/12 and beyond.
- (c) A further report come to Council during the 2011/12 budget deliberations regarding the success in securing sponsorship/advertising deals to inform future decisions regarding the extension or cessation of the service.

**Record of Voting:**

For the Motion: Unanimous.

**ITEM 1 (continued)****ATTACHMENT 1****5 CRIME PREVENTION APPROACH - GLEN RESERVE, EASTWOOD**

**Motion:** (Moved by Councillors Li and Yedelian OAM)

- (a) That Council officers approach businesses, community groups and the Chamber of Commerce to seek contributions for new lighting and other works in Glen Reserve.
- (b) That a further report on total costing for new lighting and other works be provided to Council after discussions with businesses and the Chamber of Commerce.
- (c) That the issue of anti-social behaviour in other reserves be considered and dealt with a part of the Crime Prevention Plan and the Integrated Open Space Strategy.

**Amendment:** (Moved by Councillors Maggio and Pickering)

- (a) That Council officers approach businesses, community groups and the Chamber of Commerce to seek a 60/40 contribution (60% being from Council) for new lighting and other works in Glen Reserve.
- (b) That a further report on total costing for new lighting and other works be provided to Council after discussions with businesses and the Chamber of Commerce.
- (d) That the issue of anti-social behaviour in other reserves be considered and dealt with a part of the Crime Prevention Plan and the Integrated Open Space Strategy.

The Amendment was put and **LOST** with ten (10) votes for and two (2) votes against.

**Record of Voting**

For the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, Li, O'Donnell, Perram, Petch, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillors Maggio and Pickering

**RESOLUTION:** (Moved by Councillors Li and Yedelian OAM)

- (a) That Council officers approach businesses, community groups and the Chamber of Commerce to seek contributions for new lighting and other works in Glen Reserve.
- (b) That a further report on total costing for new lighting and other works be provided to Council after discussions with businesses and the Chamber of Commerce.

**ITEM 1 (continued)****ATTACHMENT 1**

- (c) That the issue of anti-social behaviour in other reserves be considered and dealt with a part of the Crime Prevention Plan and the Integrated Open Space Strategy.

**Record of Voting:**

For the Motion: Unanimous.

**6 TRANSPORT STUDY FOR COMPREHENSIVE LEP NEW**

**RESOLUTION:** (Moved by Councillors Petch and O'Donnell)

- (a) That the draft Transport Study be endorsed for targeted consultation with the relevant CoR Advisory Committees and Working Groups.
- (b) That following targeted consultation, a further report be submitted to Council prior to the Transport Study being publicly exhibited together with the Draft Local Environment Plan 2011.
- (c) That the recommendations of the Transport Study be incorporated into the draft Comprehensive LEP 2011 and draft DCP 2011 prior to the draft plan being circulated for consultation with the Government agencies (under S62 of the Environmental Planning and Assessment Act).

**Record of Voting:**

For the Motion: Unanimous.

**7 160-162 WICKS ROAD - Request for rezoning in conjunction with draft Ryde LEP 2011**

**RESOLUTION:** (Moved by Councillors Tagg and Petch)

- (a) That land at 160-162 Wicks Road being Lots 1, 2 & 3 DP1078026, Lots 14 & 15 DP841065, and Lot 2 DP 527058 be considered for rezoning to "IN2 Light Industrial".
- (b) That the draft Ryde Local Environmental Plan (LEP) 2011 be amended prior to the Section 62 consultation under the *Environmental Planning and Assessment Act* 1979 to reflect the new zoning in (a) above.
- (c) That Subject to (a), that a Master Plan for the Porters Creek site, incorporating the existing and proposed functions, activities and uses outlined in this report, be further developed.
- (d) That the community be informed through the Mayor's Column of Council's intentions with regard to Porters Creek.

**ITEM 1 (continued)****ATTACHMENT 1****Record of Voting**

For the Motion: Councillors Campbell, Etmekdjian, Li, Maggio, O'Donnell, Perram, Petch, Pickering, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: The Mayor, Councillor Butterworth

**8 RECRUITMENT OF GROUP MANAGER PUBLIC WORKS**

**RESOLUTION:** (Moved by Councillors Salvestro-Martin and Tagg)

That Council agree to meet with the short listed candidate at a Councillor dinner at the Committee of the Whole meeting on the 7 September 2010 to fulfil the requirements of Section 337 of the Local Government Act relating to the appointment of senior staff.

**Record of Voting:**

For the Motion: Unanimous.

**9 REPORT ON OUTSTANDING RESOLUTIONS**

**RESOLUTION:** (Moved by Councillors Salvestro-Martin and Tagg)

That the report on Outstanding Resolutions be endorsed.

**Record of Voting:**

For the Motion: Unanimous.

**10 RYDE 2030 COMMUNITY STRATEGIC PLAN & PROGRAM DEVELOPMENT  
- Time period, draft outcomes and programs**

**RESOLUTION:** (Moved by Councillors Tagg and Campbell)

- (a) That the time frame of the Ryde Community Strategic Plan be reduced from 20 years to 10 years to ensure it is realistic, whereby becoming the Ryde 2021 Community Strategic Plan.
- (b) That Council adopt the draft seven outcomes for the Ryde Community Strategic Plan for targeted consultation with the Theme Committees and previous participants who have requested further participation.
- (c) That the proposed 21 programs outlined in this report be the basis for future 4 year Delivery Programs and associated budgets.

For the Motion: The Mayor, Councillor Butterworth, Councillors Campbell, Etmekdjian, Li, O'Donnell, Perram, Petch, Pickering, Salvestro-Martin, Tagg and Yedelian OAM

**ITEM 1 (continued)****ATTACHMENT 1**

Against the Motion: Councillor Maggio

**11 INVESTMENT REPORT - July 2010**

Note: Councillor Campbell left the meeting at 9.23pm and was not present for consideration of this Item. Councillor Campbell returned at 9.25pm.

**RESOLUTION:** (Moved by Councillors Tagg and Salvestro-Martin)

- (a) That the report of the Chief Financial Officer, dated 06/08/2010 on INVESTMENT REPORT – July 2010, be endorsed.
- (b) That the proceeds from the sale of the Flinders CDO be transferred to the Financial Security Reserve.

**Record of Voting:**

For the Motion: Unanimous.

**12 REGISTERS - State Environmental Planning Policy No. 1**

**RESOLUTION:** (Moved by Councillors Salvestro-Martin and Tagg)

That the report of the Manager Assessment dated 10 August 2010 on REGISTERS - State Environmental Planning Policy No. 1 be endorsed by Council.

**Record of Voting:**

For the Motion: Unanimous.

**13 JOINT REGIONAL PLANNING PANEL - UPDATE - Nomination of Members**

**RESOLUTION:** (Moved by Councillors Petch and Salvestro-Martin)

- (a) Pursuant to clause 9(1)(d) of Schedule 4 to the Act, Council revokes the office of Mr Kim Woodbury as a member of the Panel.
- (b) Pursuant to clause 2(4) of Schedule 4 to the Act, Council nominates Mr Barry Hodge as a member of the Panel.
- (c) That the person employed in the position of Group Manager - Public Works be appointed as a member of the Panel in place of Mr Hodge at such time as the new manager commences employment with Council.
- (d) That Council delegate to Mr Hodge the authority to, in accordance with clause 8 of Schedule 4 to the Act, appoint alternate members to the Panel and revoke any such appointments for such period as Mr Hodge is a member of the Panel.



**ITEM 1 (continued)****ATTACHMENT 1****Record of Voting:**

For the Motion: Unanimous.

**14 2010 BIKE FUTURES CONFERENCE - Melbourne 14-15 October 2010**

**RESOLUTION:** (Moved by Councillors Petch and Yedelian OAM)

That Council endorse Councillors Maggio and Perram's attendance at the 2010 Bike Futures Conference being held at the Etihad Stadium, Melbourne from Thursday 14 October to Friday 15 October 2010.

**Record of Voting:**

For the Motion: Unanimous.

**15 JUNE 2010 QUARTERLY REVIEW REPORT 2009-2013 MANAGEMENT PLAN**

**RESOLUTION:** (Moved by Councillors Etmekdjian and Salvestro-Martin)

- (a) That the report of the Chief Financial Officer, dated 13/08/2010 on JUNE 2010 QUARTERLY REVIEW REPORT 2009-2013 MANAGEMENT PLAN, be received and endorsed.
- (b) That the proposed carry overs included in this report totalling \$6.63 million be endorsed and included in the 2010/2011 Budget.
- (c) That the proposed transfers to Reserves as detailed in the report totalling \$1.55 million be adopted.
- (d) That the Certificate of the Responsible Accounting Officer attached to the report of the Chief Financial Officer dated 13 August 2010 be endorsed.
- (e) That Councillors acknowledge the hard work of the General Manager and the Executive team towards achieving the results outlined in this report.

**Record of Voting:**

For the Motion: Unanimous.

**16 CODE OF CONDUCT REPORT**

**Motion:** (Moved by Councillors Petch and Perram)

That Council ask Councillor Pickering to apologise and, if he does so, that no further action be taken.

**Amendment:** (Moved by Councillors Salvestro-Martin and Campbell)

- (a) That Council determines that Councillor Pickering has breached the Code

**ITEM 1 (continued)****ATTACHMENT 1**

of Conduct;

- (b) That Council censure Councillor Pickering for misbehaviour in respect of the conduct in question; and
- (c) That Council require Councillor Pickering to apologise at the meeting to Councillor Tagg in respect of the remarks made.

The Amendment was put and **LOST** with five (5) votes for and seven (7) votes against.

**Record of Voting**

For the Amendment: The Mayor, Councillor Butterworth and Councillors Campbell, O'Donnell, Salvestro-Martin and Tagg

Against the Amendment: Councillors Etmekdjian, Li, Maggio, Perram, Petch, Pickering and Yedelian OAM

**Further Amendment:** previously foreshadowed as an amendment. (Moved by Councillors Yedelian OAM and Etmekdjian)

That Council receive and note the Code of Conduct report.

The Further Amendment was put and **LOST** with four (4) votes for and eight (8) votes against.

**Record of Voting**

For the Amendment: Councillors Etmekdjian, Maggio, Pickering and Yedelian OAM

Against the Amendment: The Mayor, Councillor Butterworth and Councillors Campbell, Li, O'Donnell, Perram, Petch, Salvestro-Martin and Tagg

**The Motion was then put.**

On being put, the voting on the Motion was six (6) all. The Mayor used his casting vote for the Motion and the Motion was declared **CARRIED**.

**RESOLUTION:** (Moved by Councillors Petch and Perram)

That Council ask Councillor Pickering to apologise and if he does so, that no further action be taken.

**Record of Voting**

For the Motion: The Mayor, Councillor Butterworth and Councillors Li, O'Donnell, Perram, Petch and Tagg

Against the Motion: Councillors Campbell, Etmekdjian, Maggio, Pickering,

**ITEM 1 (continued)****ATTACHMENT 1**

Salvestro-Martin and Yedelian OAM

Note: At this stage of the meeting, the Chair requested that Councillor Pickering provide the apology in accordance with the resolution of Council.

Councillor Pickering declined and stated that he would be obtaining legal advice in relation to this matter.

**EXTENSION OF TIME**

**RESOLUTION:** (Moved by Councillors Petch and Campbell)

That there be an extension of time to allow Council to consider the remaining Items on the Agenda, the time being 11.03pm.

**Record of Voting:**

For the Motion: Unanimous.

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

- 1 JOINT STANDING COMMITTEE ON ELECTORAL MATTERS - Report on 2008 Local Government Elections**
- 2 JOINT REGIONAL PLANNING PANEL**

**RESOLUTION:** (Moved by Councillors Campbell and O'Donnell)

That consideration of the two Precis of Correspondence Items be deferred to ensure all Councillors are provided with the Items.

**Record of Voting:**

For the Motion: Unanimous.

**NOTICES OF MOTION**

There were no Notices of Motion.

**NOTICES OF RESCISSION**

There were no Notices of Rescission.

**QUESTIONS BY COUNCILLORS AS PER POLICY**

There were no Questions by Councillors as per Policy.

**PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA**

No addresses were made to Council.

**ITEM 1 (continued)****ATTACHMENT 1****ITEM 17 - 312 VICTORIA ROAD - Advice on Prospects****Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

**ITEM 18 - PROVISION OF SERVICES OF A DEVELOPMENT DIRECTOR - Civic Precinct Project - COR-RFT-05/10****Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Furthermore, it is considered that discussion of this item in open meeting would, on balance, be contrary to the public interest as it would unduly affect Council's ability to award the Tender.

**ITEM 19 - RYDE CITY BOWLING CLUB CO-OPERATIVE LIMITED (IN LIQUIDATION) - Proposed Assignment of Lease****Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Furthermore, it is considered that discussion of this item in open meeting would, on balance, be contrary to the public interest as it would unduly affect Council's ability to finalise negotiations for the ongoing occupancy of the land..

**ITEM 1 (continued)****ATTACHMENT 1****ITEM 20 - ADVICE ON COURT ACTIONS****Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

**CLOSED SESSION**

**RESOLUTION:** (Moved by Councillors Petch and Etmekdjian)

That Council resolve into Closed Session to consider the above matters.

**Record of Voting:**

For the Motion: Unanimous.

Note: The Council closed the meeting at 11.13pm. The public and media left the chamber.

**17 312 VICTORIA ROAD - Advice on Prospects**

**RESOLUTION:** (Moved by Councillors O'Donnell and Perram)

That Council determine that Option 2 as identified in the report should be followed with the subject appeal.

**Record of Voting**

For the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, Li, Maggio, O'Donnell, Perram, Petch, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillor Pickering

**ITEM 1 (continued)****ATTACHMENT 1****18 PROVISION OF SERVICES OF A DEVELOPMENT DIRECTOR - Civic Precinct Project - COR-RFT-05/10**

**RESOLUTION:** (Moved by Councillors Petch and O'Donnell)

- (a) That the tender from Creative Solutions (NSW) Pty Ltd be accepted for the Provision of Services of a Development Director – Civic Precinct Project for a period of up to four (4) years and to a value of up to \$701,325.
- (b) That the General Manager be delegated authority to enter into a contract with Creative Solutions (NSW) Pty Ltd on the terms contained within the tender documents and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That all unsuccessful tenderers be notified of Council's decision in this matter.

**Record of Voting**

For the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, Li, Maggio, O'Donnell, Perram, Petch, Salvestro-Martin, Tagg and Yedelian OAM

Against the Motion: Councillor Pickering

**19 RYDE CITY BOWLING CLUB CO-OPERATIVE LIMITED (IN LIQUIDATION) - Proposed Assignment of Lease**

Note: Councillor Tagg declared a less than significant non-pecuniary interest in this Item for the reason that he used to be a member of Ryde Bowling Club.

**RESOLUTION:** (Moved by Councillors Petch and O'Donnell)

- (a) That Council agrees to the assignment of the lease from Ryde City Bowling Club Co-operative Limited (In Liquidation) to the Camperdown Bowling Club on the terms outlined in this report, subject to approval from the Minister for Lands and the liquidators.
- (b) That the General Manager be authorised to finalise the assignment documentation and make minor alterations that are not of a material nature.

**Record of Voting**

For the Motion: The Mayor, Councillor Butterworth and Councillors Campbell, Li, O'Donnell, Petch, Salvestro-Martin and Tagg

Against the Motion: Councillors Etmekdjian, Maggio, Perram, Pickering and Yedelian OAM

**ITEM 1 (continued)****ATTACHMENT 1**

Note: A Rescission Motion in respect of this Item, signed by Councillors Perram, Etmekdjian, Maggio and Pickering was lodged following the end of the meeting. The Motion was subsequently withdrawn.

**20 ADVICE ON COURT ACTIONS**

**RESOLUTION:** (Moved by Councillors Petch and Tagg)

That the report of the General Counsel on ADVICE ON COURT ACTIONS be endorsed.

**Record of Voting:**

For the Motion: Unanimous.

**OPEN SESSION**

**RESOLUTION:** (Moved by Councillors Petch and Tagg)

That Council resolve itself into open Council.

**Record of Voting:**

For the Motion: Unanimous.

Note: Open Council resumed at 11.35pm.

**RESOLUTION:** (Moved by Councillors Petch and Tagg)

That the business transacted in Closed Session be received and adopted as a resolution of Council without any alteration or amendment thereto.

**Record of Voting:**

For the Motion: Unanimous.

**NATIONAL ANTHEM**

The National Anthem was sung at the conclusion of the meeting.

The meeting closed at 11.36 pm.

CONFIRMED THIS 28<sup>th</sup> DAY OF SEPTEMBER 2010

Chairperson

**ITEM 1 (continued)****ATTACHMENT 2**

City of Ryde

**Council Meeting****MINUTES OF MEETING NO. 14/10**

**Meeting Date:** Tuesday 14 September 2010  
**Location:** Council Chambers, Level 6  
**Time:** 7.30pm

**Councillors Present:** The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, Li, Maggio, O'Donnell, Petch, Perram, Pickering, Salvestro-Martin, Tagg and Yedelian OAM.

**Apologies:** Nil

**Staff Present:** General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Acting Group Manager - Public Works, General Counsel, Media & Community Relations Officer, Manager Governance, Councillor Support Co-ordinator and Senior Administration Co-ordinator.

**PRAYER**

Reverend Sue Willis of St Anne's Anglican Church was present and offered prayer prior to the commencement of the meeting.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

No addresses were made to Council.

**MAYORAL MINUTES****7/10 CLAIRE MOODY: QUEEN'S GUIDE AWARD**

**RESOLUTION:** (Moved by The Mayor, Councillor Butterworth and Councillor Petch)

That Council write to Claire Moody, City of Ryde's Young Citizen of the Year, congratulating her on earning the Queen's Guide Award.

**Record of Voting:**

For the Motion: Unanimous.



**ITEM 1 (continued)****ATTACHMENT 2****COUNCIL REPORTS****1 ELECTION OF MAYOR FOR ENSUING 12 MONTHS**

At this stage of the meeting, the Mayor, Councillor Butterworth, thanked his fellow Councillors and staff for their support over the twelve months. He then vacated the Chair and the General Manager, as Returning Officer, conducted the election of Mayor.

**METHOD OF VOTING FOR ELECTION OF MAYOR**

The General Manager, as Returning Officer, presented the options on the method of voting for Mayor.

**RESOLUTION:** (Moved by Councillors Petch and Yedelian OAM)

- (a) That the method of voting be open voting using the electronic recording system.
- (b) That the General Manager, as Returning Officer, undertake the election of Mayor for the ensuing twelve (12) months by announcing the nominations and then conducting the election.

**Record of Voting:**

For the Motion: Unanimous.

As a result of the voting, **THE METHOD OF VOTING FOR ELECTION OF MAYOR WAS OPEN VOTING USING THE ELECTRONIC RECORDING SYSTEM**

The General Manager, as Returning Officer, advised that there were two (2) nominations for the Office of Mayor, namely Councillor Etmekdjian and Councillor Butterworth

The General Manager invited further nominations. There were no further nominations.

**THE ELECTION FOR MAYOR** was conducted by the General Manager, as Returning Officer, which resulted in the following voting:

**Councillor Etmekdjian 7**

Voting in favour: Councillors Etmekdjian, Li, Maggio, Perram, Petch, Pickering and Yedelian OAM

**Councillor Butterworth 5**

Voting in favour: Councillors Butterworth, Campbell, O'Donnell, Salvestro-Martin and Tagg

As a result of the voting, **COUNCILLOR ETMEKDJIAN WAS DULY ELECTED MAYOR FOR THE ENSUING YEAR.**

**ITEM 1 (continued)****ATTACHMENT 2**

The Mayor, Councillor Etmekdjian then assumed the Chair of Mayor, as Chairperson of the meeting.

The Mayor, Councillor Etmekdjian gave a brief acknowledgement following his election.

**2 DETERMINATION OF FEE FOR DEPUTY MAYOR**

**RESOLUTION:** (Moved by Councillors Butterworth and Yedelian OAM)

- (a) That the Deputy Mayor be paid, in addition to the Councillors' fee, a fee equivalent to 10% of the Mayor's annual fee.
- (b) That the amount of the fee be deducted from the Mayor's fee.

**Record of Voting:**

For the Motion: Unanimous.

**3 ELECTION OF DEPUTY MAYOR FOR ENSUING 12 MONTHS**METHOD OF VOTING FOR ELECTION OF DEPUTY MAYOR

**RESOLUTION:** (Moved by Councillors Petch and Yedelian OAM)

- (a) That the method of voting be open voting.
- (b) That the General Manager, as Returning Officer, undertake the election of Deputy Mayor for the ensuing twelve (12) months by announcing the nominations and then conducting the election.

**Record of Voting:**

For the Motion: Unanimous.

The General Manager, as Returning Officer, advised that there were three (3) nominations for the Office of Deputy Mayor, namely Councillor Pickering, Councillor Petch and Councillor Campbell.

Councillor Pickering withdrew as a nominee for the Office of Deputy Mayor. The General Manager then advised that there were now two (2) nominations for the Office of Deputy Mayor, namely Councillor Petch and Councillor Campbell.

The General Manager invited further nominations. There were no further nominations.

THE ELECTION OF DEPUTY MAYOR was conducted by the General Manager, as Returning Officer, which resulted in the following voting:

**ITEM 1 (continued)****ATTACHMENT 2****Councillor Petch 7**

Voting in favour: The Mayor, Councillor Etmekdjian and Councillors Li, Maggio, Perram, Petch, Pickering and Yedelian OAM

**Councillor Campbell 5**

Voting in favour: Councillors Butterworth, Campbell, O'Donnell, Salvestro-Martin and Tagg

As a result of the vote, COUNCILLOR PETCH WAS DULY ELECTED DEPUTY MAYOR FOR THE ENSUING TWELVE MONTHS.

**4 COUNCIL/COMMITTEE MEETINGS - Schedule and Appointment of Councillor Members to Standing Committees**

**RESOLUTION:** (Moved by Councillors Perram and Petch)

- (a) That Council endorse its Standing Committees of Planning & Environment, Works & Community, Civic Precinct and Committee of the Whole.
- (b) That Council endorse the attached draft meeting schedule for Council and Committee meetings for 2011, noting that the schedule can be amended subject to a one (1) month transition period in order for amendments to any advertised public notices.
- (c) That the current membership of the Committees remain unchanged for the ensuing twelve months with the exception of the Planning & Environment Committee, where Councillor Butterworth will replace Councillor Etmekdjian on the Committee.

**Record of Voting:**

For the Motion: Unanimous.

**5 ADVISORY COMMITTEES - Terms of Reference**

**RESOLUTION:** (Moved by Councillors O'Donnell and Petch)

- (a) That Council adopt the proposed clause for Reporting of Minutes of Advisory Committees in amending the Terms of Reference Section 5 as detailed in this report.
- (b) That this amendment be applied to all Terms of Reference for Advisory Committees.

**Record of Voting:**

For the Motion: Unanimous.

**ITEM 1 (continued)****ATTACHMENT 2****6 ADVISORY AND EXTERNAL COMMITTEES - Appointment of Delegates**

**RESOLUTION:** (Moved by Councillors Petch and Yedelian OAM)

- (a) That the existing delegates for all Advisory Committees remain unchanged for the ensuing twelve months subject to:
  - (i) Councillor Maggio being added as a delegate to Community Harmony Reference Group and the Macquarie Park Forum.
  - (ii) Councillor Maggio being removed as a member of the Ryde Hunters Hill Joint Library Committee.
- (b) That the Mayor, Councillor Etmekdjian and Councillor Yedelian OAM be Council's delegates to NSROC, with Councillors Petch and Tagg remaining as the alternate delegates.
- (c) That Council formally note the disbanding of the Eastwood & Terry's Creek Floodplain Risk Management Committee
- (d) That no formal Councillor delegate be appointed to the RTA Consultative Forum on the basis that all Councillors will be invited to attend the Forum when it is being held.

**Record of Voting:**

For the Motion: Unanimous.

**7 2010 LOCAL GOVERNMENT CONFERENCE, ALBURY - 24-27 October 2010 - Confirmation of Delegates**

**RESOLUTION:** (Moved by Councillors Pickering and Yedelian OAM)

That Councillor Maggio be reinstated as a voting delegate to attend the LGA Conference in Albury.

**Record of Voting:**

For the Motion: Unanimous.

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

There are no Precis of Correspondence for Consideration

**NOTICES OF MOTION**

There are no Notices of Motion

**ITEM 1 (continued)**

**ATTACHMENT 2**

**NOTICES OF RESCISSION**

There are no Notices of Rescission

**QUESTIONS BY COUNCILLORS AS PER POLICY**

There are no Questions by Councillors as per Policy

**PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA**

No addresses were made to Council.

**NATIONAL ANTHEM**

The National Anthem was sung at the conclusion of the meeting.

The meeting closed at 8.00pm.

CONFIRMED THIS 28TH DAY OF SEPTEMBER 2010

Chairperson

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**2 CONFIRMATION OF MINUTES - Planning & Environment Committee  
Meeting 06/10 held on 07 September 2010**

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**File No.:** GRP/10/3/001/6 - BP10/569

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**RECOMMENDATION:**

That Part A of the Planning & Environment Committee Meeting 06/10 held on Tuesday 07 September 2010, be dealt with in seriatim and Part B be noted as dealt with under delegated authority.

**ATTACHMENTS**

- 1** Minutes of Meeting held on 07 September 2010

## ITEM 2 (continued)

## ATTACHMENT 1

City of Ryde

**Planning and Environment Committee****MINUTES OF MEETING NO. 6/10**

**Meeting Date:** Tuesday 7 September 2010  
**Location:** Committee Room 3, Level 5, Civic Centre  
**Time:** 4.05pm

**Councillors Present:** Councillors Pickering (Chairperson), Etmekdjian, O'Donnell and Yedelian OAM

**Apologies:** Councillor Salvestro-Martin

**Staff Present:** Group Manager – Environment & Planning, Manager Assessment, Manager Environmental Health & Building, Business Support Co-ordinator – Environment & Planning, Team Leader Assessment, Consultant Town Planner, Senior Town Planner – Major Development Team.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**PART A - ITEMS TO BE DETERMINED BY COUNCIL ON 28 SEPTEMBER 2010**

**NOTE:** Items 1, 2 and 5 were determined by the Committee under delegated authority and are **CIRCULATED UNDER SEPARATE COVER** on pages 3 and 4 – (Part B) of the Planning & Environment Committee Report No. 06/10.

- 3 72 BELMORE STREET, RYDE. Lot 56 DP 11918. - Local Development**  
**Application for demolition of an existing shed and construction of church building to rear of the existing dwelling. LDA2009/580.**

Report: The Committee inspected the property at 72 Belmore Street, Ryde.

Note: Ms Edwards, Mr Fernandes, Ms Del Duca and Mr Gordon address the meeting in relation to this Item.

Documents: Ms Edwards tabled a petition signed by forty-four (44) people and photos in relation to this Item and copy is ON FILE.

**RECOMMENDATION:** (Moved by Councillors Yedelian OAM and Etmekdjian)

- (a) That Local Development Application No. LDA2009/580 at 72 Belmore Street being Lot 56 DP 11918 be approved subject to the **ATTACHED** conditions (Attachment 1) with an amendment to Condition 87 (Page 46) as follows:

**ITEM 2 (continued)****ATTACHMENT 1**

87. The use of the premises and the number of persons attending shall generally be in accordance with the table below:

Day of week	Time	Activity	Maximum No. of People	Frequency
Sundays	10.00am – 12.00noon	Church Service	72 persons	Weekly
Saturdays	6.00pm – 8.00pm	Vespers	15 persons	Weekly
Weekdays	9.00am – 10.00am	Mothers Meetings	15 persons	One day per week
Easter	6.30pm – 9.00pm 9.00pm – 11.00pm	Easter Mass	72 persons	During Easter
Weddings & Funerals	8.30am – 5.30pm	Funeral or Wedding	72 persons	3 per year

- (b) That the persons who made submissions be advised of Council's decision
- (c) That, if concerns about parking and access are raised within 6 months of an occupation certificate being issued, the matter be referred to the Traffic Committee for resolution.

**Record of Voting:**

For the Motion: Unanimous

**4 32 FEDERAL ROAD, WEST RYDE. Lot 7A DP 21149. - Local Development Application for new two storey dwelling. LDA2010/0110.**

Report: The Committee inspected the property at 32 Federal Road, West Ryde.

Note: Ms McVey, Mr Zhu, Ms Wei, Ms Kirychenko and Mr Winning addressed the meeting in relation to this Item.

Documents: Ms Kirychenko submitted a petition signed by thirty-one (31) people and a copy is ON FILE.

Note: Councillor Salvestro-Martin lodged notice under Section 5.3.2 of the Code of Meeting Practice requesting that this matter be referred to the next appropriate Council Meeting. This matter will still be considered by the Committee who will provide a recommendation for consideration.

**RECOMMENDATION:** (Moved by Councillors Yedelian OAM and Etmekdjian)

That this matter be deferred to allow the applicant and objectors an opportunity to consider the Architectus overshadowing diagrams.

**Record of Voting:**

For the Motion: Unanimous



**ITEM 2 (continued)****ATTACHMENT 1****PART B - ITEMS DETERMINED UNDER DELEGATED AUTHORITY****1 CONFIRMATION OF MINUTES - Meeting of 20 July 2010**

**RESOLUTION:** (Moved by Councillors O'Donnell and Etmekdjian)

That the Minutes of the Planning & Environment Committee Meeting No. 05/10, held on Tuesday 20 July 2010, be confirmed.

**Record of Voting:**

For the Motion: Unanimous

**2 MOTIONS PUT WITHOUT DEBATE**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Etmekdjian)

That the Items be considered in seriatim.

**Record of Voting:**

For the Motion: Unanimous

**5 297 MORRISON ROAD, RYDE. LOT 8 DP 8051. - Local Development Application for demolition of existing dwelling and erection of two-storey and basement duplex. LDA2009/0528.**

Note: Mr McSweeney and Mr Turnbull address the meeting in relation to this Item. Mr Cullen was available to answer questions.

**RESOLUTION:** (Moved by Councillors O'Donnell and Yedelian OAM)

- (a) That Local Development Application No. 2009/528 at 297 Morrison Road, Ryde being Lot 8, DP 8051, be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Unanimous

The meeting closed at 6.48pm.

CONFIRMED THIS 21<sup>st</sup> DAY OF SEPTEMBER 2010.

Chairperson

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**3 CONFIRMATION OF MINUTES - Planning & Environment Committee  
Meeting 07/10 held on 21 September 2010**

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**File No.:** GRP/10/3/001/6 - BP10/574

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**RECOMMENDATION:**

That Part A of the Planning & Environment Committee Meeting 07/10 held on Tuesday 21 September 2010, be dealt with in seriatim and Part B be noted as dealt with under delegated authority.

**ATTACHMENTS**

- 1** Minutes of Meeting of 21 September 2010

**ITEM 3 (continued)****ATTACHMENT 1**

City of Ryde

**Planning and Environment Committee****MINUTES OF MEETING NO. 7/10**

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**Meeting Date:** Tuesday 21 September 2010  
**Location:** Committee Room 3, Level 5, Civic Centre  
**Time:** 4.06pm

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**Councillors Present:** Councillors Butterworth, Pickering, O'Donnell and Yedelian OAM. The Mayor, Councillor Etmekdjian was present for consideration of Item 1.

**Apologies:** Councillor Salvestro-Martin.

**Staff Present:** Group Manager – Environment & Planning, Manager Assessment, Business Support Co-ordinator – Environment & Planning, Team Leader - Fast Track Team, Senior Assessment Officer, Assessment Officer - Building Surveyor, Manager – Governance.

The General Manager and Group Manager, Corporate Services were present for the election of the Chairperson and Deputy Chairperson.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**PART A - ITEMS TO BE DETERMINED BY COUNCIL ON 28 SEPTEMBER 2010**

**NOTE:** Items 1,2, 3 and 5 were determined by the Committee under delegated authority and are on pages 3 to 5 – (Part B) of the Planning & Environment Committee Report No. 07/10.

**ITEM 3 (continued)****ATTACHMENT 1****4 166 PRINCES STREET, PUTNEY. Lot 239 DP 8902. - Local Development Application for erection of new two storey dwelling with semi basement carparking and pool. LDA2010/0002.**

Report: The Committee inspected the property at 166 Princes Street, Putney.

Note: Documents were received from Chapman Planning (on behalf of the objector) and the applicant, and copies are ON FILE.

**RECOMMENDATION:** (Moved by Councillor Yedelian OAM and Butterworth)

That this matter be deferred to be considered at the Committee of the Whole Meeting to be held 5 October 2010.

**Record of Voting:**

For the Motion: Unanimous.

**ITEM 3 (continued)****ATTACHMENT 1****PART B - ITEMS DETERMINED UNDER DELEGATED AUTHORITY****1 ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON**

Note: The General Manager conducted the election of Chairperson.

The General Manager called for nominations for the position of Chairperson.

The following nominations were received and accepted for the position of Chairperson of the Committee:-

- Councillor Pickering; and
- Councillor O'Donnell

**RESOLUTION:** (Moved by Councillors Yedelian OAM and the Mayor, Councillor Etmekdjian)

That the method of voting be OPEN VOTING

**Record of Voting:**

For the Motion: Unanimous

An ELECTION BY SHOW OF HANDS was conducted resulting in the following voting:

- Councillor Pickering - 3 votes  
(**Record of Voting** – The Mayor, Councillor Etmekdjian, Councillors Pickering and Yedelian OAM)
- Councillor O'Donnell – 2 votes  
(**Record of Voting** – Councillors Butterworth and O'Donnell)

As a result of the voting, COUNCILLOR PICKERING WAS DULY ELECTED CHAIRPERSON FOR THE ENSUING YEAR.

Councillor Pickering assumed the Chair and was Chairperson for the election of Deputy Chairperson.

Councillor Pickering called for nominations for the position of Deputy Chairperson.

The following nominations were received and accepted for the position of Chairperson of the Committee:-

- Councillor O'Donnell; and
- Councillor Yedelian OAM

An ELECTION BY SHOW OF HANDS was conducted resulting in the following voting:

**ITEM 3 (continued)****ATTACHMENT 1**

- Councillor O'Donnell – 2 votes  
(**Record of Voting** – Councillors Butterworth and O'Donnell)
- Councillor Yedelian OAM – 3 votes  
(**Record of Voting** – The Mayor, Councillor Etmekdjian and Councillors Pickering and Yedelian OAM)

As a result of the voting, COUNCILLOR YEDELIAN OAM WAS DULY ELECTED DEPUTY CHAIRPERSON FOR THE ENSUING YEAR.

**2 CONFIRMATION OF MINUTES - Meeting held on 7 September 2010**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and O'Donnell)

That the Minutes of the Planning & Environment Committee Meeting No. 06/10, held on Tuesday 7 September 2010, be confirmed.

**Record of Voting:**

For the Motion: Unanimous

**3 MOTIONS PUT WITHOUT DEBATE**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Pickering)

That the Items be considered in seriatim.

**Record of Voting:**

For the Motion: Unanimous

**5 1 NEIL STREET, NORTH RYDE. LOT 1 DP 29008. - Local Development Application for Alterations and additions, including first floor additions to dwelling. LDA2010/0102.**

Report: The Committee inspected the property at 1 Neil Street, North Ryde.

**RESOLUTION:** (Moved by Councillors O'Donnell and Butterworth)

- (a) That Local Development Application No. LDA2010/0102 at 1 Neil Street North Ryde being alterations and additions, including first floor additions to dwelling approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the person who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Unanimous

**ITEM 3 (continued)**

**ATTACHMENT 1**

The meeting closed at 5.05pm.

CONFIRMED THIS 19<sup>th</sup> DAY OF OCTOBER 2010.

Chairperson

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**4 CONFIRMATION OF MINUTES - Works & Community Committee Meeting held on 07 September 2010**

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**File No.:** GRP/10/3/001/5 - BP10/570

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**RECOMMENDATION:**

That the Minutes of the Works & Community Committee Meeting 08/10, held on Tuesday 07 September 2010, be noted as dealt with under delegated authority.

**ATTACHMENTS**

- 1** Minutes of Meeting held on 07 September 2010



**ITEM 4 (continued)****ATTACHMENT 1**

City of Ryde

**Works and Community Committee****MINUTES OF MEETING NO. 8/10****Meeting Date:** Tuesday 7 September 2010**Location:** Committee Room 1, Level 5, Civic Centre, 1 Devlin Street, Ryde**Time:** 4.35pm**Councillors Present:** Councillors Tagg (Chair), Perram and Petch**Apologies:** Councillors Campbell, Li and Maggio**Staff Present:** Group Manager – Community Life, Acting Group Manager - Public Works, Acting Manager Open Space, Manager – Stormwater and Parks Assets and Councillor Support Coordinator**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**PART A - ITEMS TO BE DETERMINED BY COUNCIL ON 28 SEPTEMBER 2010**

There are no items to be determined by Council on 28 September 2010.

**ITEM 4 (continued)****ATTACHMENT 1****PART B - ITEMS DETERMINED UNDER DELEGATED AUTHORITY****1 CONFIRMATION OF MINUTES - Minutes of Meeting held on 17 August 2010**

**RESOLUTION:** (Moved by Councillors Petch and Perram)

That the Minutes of the Works & Community Committee Meeting 07/10, held on Tuesday 17 August 2010, be confirmed.

**Record of Voting**

For the Motion: Unanimous

**2 MOTIONS PUT WITHOUT DEBATE**

**RESOLUTION:** (Moved by Councillors Perram and Petch)

That the recommendations in respect of items 3 to 4 inclusive, as submitted to Works & Community Committee Meeting 08/10, be adopted.

**Record of Voting**

For the Motion: Unanimous

**3 BENCHMARK PARK USER SATISFACTION SURVEY REPORT**

**RESOLUTION:** (Moved by Councillors Perram and Petch)

- (a) That Council continue to undertake the Benchmark Park User Satisfaction Survey Program.
- (b) That the results be used in the future planning of Parks and Open Space in the City of Ryde.
- (c) Council acknowledge the positive results of the Benchmark Park User Satisfaction Survey Program and that residents be given feedback on the survey through the City View.

**Record of Voting**

For the Motion: Unanimous

**ITEM 4 (continued)****ATTACHMENT 1****4 TREE MANAGEMENT REVIEW - 2 Leslie Street, North Ryde**

Note: The Committee inspected the property at 2 Leslie Street, North Ryde.

**RESOLUTION:** (Moved by Councillors Perram and Petch)

The request to remove the one (1) *Podocarpus macrophyllus* (Fern Pine) be declined.

**Record of Voting**

For the Motion: Unanimous

The meeting closed at 5.10pm.

CONFIRMED THIS 21ST DAY OF SEPTEMBER 2010.

Chairperson

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**5 CONFIRMATION OF MINUTES - Works & Community Committee Meeting held on 21 September 2010**

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**File No.:** GRP/10/3/001/6 - BP10/575

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**RECOMMENDATION:**

That Part A of the Minutes of the Works & Community Committee Meeting 09/10, held on Tuesday 21 September 2010, be dealt with in seriatim, and Part B be noted as dealt with under delegated authority.

**ATTACHMENTS**

- 1** Minutes of meeting held on 21 September 2010

**ITEM 5 (continued)****ATTACHMENT 1**

City of Ryde

**Works and Community Committee****MINUTES OF MEETING NO. 9/10****Meeting Date:** Tuesday 21 September 2010**Location:** Committee Room 1, Level 5, Civic Centre, 1 Devlin Street, Ryde**Time:** 4.31pm

**Councillors Present:** The Mayor, Councillor Etmekdjian and Councillors Li, Maggio, Perram, Petch and Tagg

The Mayor was present for the consideration of Item 1.

**Apologies:** Councillor Campbell

**Staff Present:** Group Manager – Community Life, Acting Group Manager – Public Works, Manager – Buildings and Property Services, Manager – Access and Councillor Support Coordinator

The General Manager, Group Manager – Corporate Services and Manager – Governance were present for the consideration of Item 1.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**PART A - ITEMS TO BE DETERMINED BY COUNCIL ON 5 OCTOBER 2010**

**NOTE:** Items 1 to 3 were determined by the Committee under delegated authority and are **CIRCULATED UNDER SEPARATE COVER** on pages 3 and 4 – (Part B) of the Works and Community Committee Report No. 9/10.

**4 MEADOWBANK PARK TENNIS COURTS AND OLYMPIC PARK TENNIS COURTS – Court hire fee increase**

**RECOMMENDATION:** (Moved by Councillors Perram and Petch)

That this matter be deferred to the next Works and Community Committee meeting for further information to be provided about the income statement summary without fee increase.

**Record of Voting**

For the Motion: Unanimous

**ITEM 5 (continued)****ATTACHMENT 1****5 BICYCLE ADVISORY COMMITTEE – Minutes of Meeting held 16 August 2010**

**RECOMMENDATION:** (Moved by Councillors Perram and Petch)

That a Report be prepared to Council to determine funding arrangements relating to CYCLEWAY CAPITAL WORKS PROGRAM – Review of List of Priorities (2010/2011).

**Record of Voting**

For the Motion: Councillors Maggio, Perram, Petch and Li

Against the Motion: Councillor Tagg

**ITEM 5 (continued)****ATTACHMENT 1****PART B – ITEMS DETERMINED UNDER DELEGATED AUTHORITY****1 ELECTION OF CHAIRPERSON AND DEPUTY CHAIRPERSON**

Note: The General Manager was Chairperson for this Item and conducted the election of Chairperson and Deputy Chairperson.

The General Manager called for nominations for the position of Chairperson of the Committee and the following nominations were received:

- Councillor Maggio
- Councillor Tagg

An ELECTION BY SHOW OF HANDS was conducted resulting in the following voting:

- Councillor Maggio – 3 votes  
(**Record of Voting** – The Mayor, Councillor Etmekdjian and Councillors Maggio and Perram)
- Councillor Tagg – 3 votes  
(**Record of Voting** – Councillors Li, Petch and Tagg)

**RESOLUTION:** (Moved by Councillors Tagg and Perram)

That, as the voting was tied, the name of one candidate be drawn by lot at random by the General Manager to be Chairperson.

**Record of Voting**

For the Motion: Unanimous

As a result of the voting, COUNCILLOR MAGGIO WAS ELECTED CHAIRPERSON FOR THE ENSUING YEAR

The General Manager called for nominations for the position of Deputy Chairperson and the following nomination was received:

- Councillor Tagg

As there was only one nomination COUNCILLOR TAGG WAS DULY ELECTED DEPUTY CHAIRPERSON UNOPPOSED FOR THE ENSUING YEAR.

Councillor Maggio assumed the Chair.

**ITEM 5 (continued)****ATTACHMENT 1****2 CONFIRMATION OF MINUTES – Meeting held on 07 September 2010**

**RESOLUTION:** (Moved by Councillors Petch and Perram)

That the Minutes of the Works & Community Committee Meeting 08/10, held on Tuesday 07 September 2010, be confirmed.

**Record of Voting**

For the Motion: Unanimous

**3 MOTIONS PUT WITHOUT DEBATE**

**RESOLUTION:** (Moved by Councillors Perram and Petch)

That the items be dealt with in seriatim.

**Record of Voting:**

For the Motion: Unanimous.

The meeting closed at 5.01pm.

CONFIRMED THIS 5<sup>TH</sup> DAY OF OCTOBER 2010.

Chairperson



**6 MOTIONS PUT WITHOUT DEBATE****File Number:** GRP/10/3/001/6 - BP10/571

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In accordance with Council's Code of Meeting Practice, Council can determine those matters on the agenda that can be adopted without the need for any discussion.

**RECOMMENDATION:**

That the recommendations in respect of items 7 to 18 inclusive, as submitted to Council Meeting 15/10, be adopted with the exception of items as determined by the Council.

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**7      32 FEDERAL ROAD, WEST RYDE. LOT 7A DP 21149. - Local  
Development Application for new two storey dwelling. LDA2010/0110.**

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**Report prepared by:** Manager Assessment

**Report dated:** 16/09/2010

**Previous Items:** 4 - 32 FEDERAL ROAD, WEST  
RYDE. Lot 7A DP 21149. - Local  
Development Application for new  
two storey dwelling.  
LDA2010/0110. - Planning and  
Environment Committee - 7  
September 2010

**File No.:** GRP/10/4/001/6 - BP10/567

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### **Report Summary**

This report is prepared to allow Council's further consideration of a proposed 2 storey dwelling at 32 Federal Road West Ryde.

A report was considered at the Planning & Environment Committee meeting on 7 September 2010 (the report is **CIRCULATED UNDER SEPARATE COVER**) where it was recommended that the DA be deferred to allow the independent shadow diagrams prepared by Architectus to be provided to the applicant and objectors and that they be given an opportunity to comment.

Responses have been received from the applicant and from a Planning Consultant on behalf of the objectors living in the villas at 34 Federal Road. The applicant requests Council to determine the application in accordance with the report submitted to the Planning and Environment Committee.

The objectors, through their Planning Consultant, have advised that they consider there to be 2 particular parts of the dwelling that cause additional overshadowing to the neighbouring villas, and they request that amendments to these parts of the dwelling to reduce such impacts. In particular, it is requested that amended plans be submitted which cut back the eave and lower the wall on the south end of the stairwell wing (1<sup>st</sup> floor level), and lower the pitching point of the ground floor southern wall (ground floor level). These changes are explained in more detail in the body of the report.

These amendments are considered to be reasonable and could be achieved with minimal design difficulty or additional cost for the applicant. In order to facilitate the determination of this DA without further delay, it is recommended that a "deferred commencement" consent be issued for this development – subject to the above amendments.

**ITEM 7 (continued)**

**RECOMMENDATION:**

- (a) That Local Development Application No 2010/110 at 32 Federal Road West Ryde being Lot 7A DP 21149 be approved via a deferred commencement consent subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

**ATTACHMENTS**

- 1** Recommended Conditions of Consent
- 2** Map

Report Prepared By:

**Liz Coad**  
**Manager Assessment**

Report Approved By:

**Dominic Johnson**  
**Group Manager Environment & Planning**

**ITEM 7 (continued)****Report**

At its meeting on 7 September 2010, the Planning & Environment Committee considered a report regarding a proposed 2 storey dwelling at 32 Federal Road West Ryde and recommended:

*“That this matter be deferred to allow the applicant and objectors an opportunity to consider the Architectus overshadowing diagrams.”*

This recommendation was adopted as a resolution at Council's Ordinary meeting on 14 September 2010.

The Architectus shadow diagrams have been provided to the applicant and the objectors in accordance with Council's resolution.

In response, the applicant (through their Planning Consultant) has advised that the Architectus shadow diagrams are substantially the same as those provided as part of their DA documents and demonstrate the limited effect of overshadowing by the proposal in comparison with the existing situation. They request that Council determine the proposal in accordance with the report submitted to the Planning & Environment Committee.

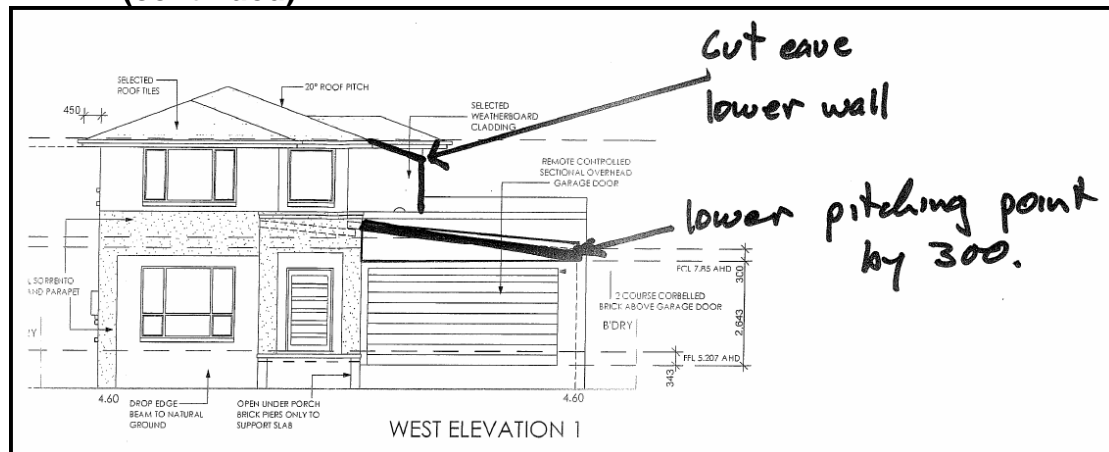
The Planning Consultant engaged by the objectors from the villas at 34 Federal Road has provided a written response **CIRCULATED UNDER SEPARATE COVER**. In summary, the submission notes that overshadowing comes from 2 particular parts of the proposed dwelling which can be readily adjusted to further reduce such overshadowing on the neighbouring villas – these parts of the dwelling are:

- The ground floor wall along the south side of the garage, bedroom and study
- The small wing at 1<sup>st</sup> floor that contains the stairs and has an 800mm eave overhang.

The objectors' planning consultant has made the following suggestions to improve solar access for the neighbouring villas:

- Cut back the eave and lower the wall on the south end of the stairwell wing by 600mm. The head height over the stair winders is at least 3.2m so it is possible to lower the southern-most wall by up to 600mm.
- Lower the pitching point of the ground floor southern wall by 300mm. There is allowance for roof structure of 400mm at the pitching point over the bedroom and study. It should be feasible to lower the wall height with only a modest change to the 2600mm floor to ceiling height in these rooms. These rooms could have a raked ceiling to maintain the 2600mm floor to ceiling height.

These suggestions are depicted in the sketch below:

**ITEM 7 (continued)**

Although the applicant's latest DA plans were assessed as being acceptable in terms of the overshadowing controls in Council's DCP, and the applicant has requested Council to determine the application on the basis of the plans currently submitted, the suggested amendments are considered to be reasonable and could be achieved with minimal design difficulty or additional cost for the applicant and would appease the residents of the neighbouring villas.

The proposed changes are relatively minor and can be provided via amended plans. The most appropriate way to deal with this issue is for Council to issue a "deferred commencement" consent which requires the submission of amended plans containing the suggested amendments above. Upon submission of such plans, the consent becomes operational and the applicant can commence building construction in accordance with the amended plans.

**Options**

There are three options for the Council in relation to this application:-

1. Approve the original design with no architectural modifications as considered in the agenda of the Planning & Environment Committee on 7 September 2010 (the report and plans are **CIRCULATED UNDER SEPARATE COVER**); i.e. delete condition 1(a) of the recommended conditions in Attachment 1 as requested by the applicant.
2. Approve the application agreeing with the suggested minor architectural modifications as put forward by the Planning Consultant on behalf of the residents of the villas at 34 Federal Road (all recommended conditions in Attachment 1 to be adopted).
3. Refuse the application.

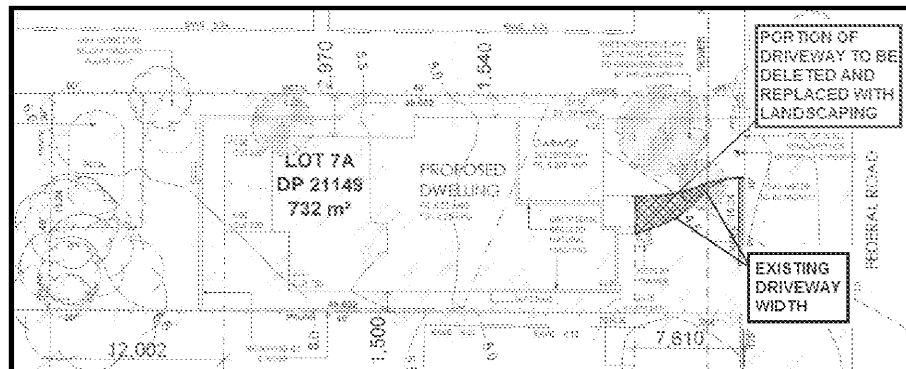
## ITEM 7 (continued)

## ATTACHMENT 1

**ATTACHMENT 1  
CONDITIONS OF CONSENT FOR 32 FEDERAL ROAD WEST RYDE  
LDA 2010/110  
(AMENDED FOR REPORT TO COUNCIL 28 SEPT 2010)**

**Part 1 - Conditions Relating to a Deferred Commencement Consent  
pursuant to Section 80(3) of the Environmental Planning and  
Assessment Act 1979:**

1. The latest plans submitted with the Development Application are Plan No Job No 23593 Sheet 3 to 7 (All Revision E), Landscaping Plan Sheets 1-3. These plans are to be amended to incorporate the following requirements:
  - (a) The architectural plans shall be amended to include the following:
    - Reduce the eave and lower the wall on the south end of the stairwell wing by 600mm.
    - Lower the pitching point of the ground floor southern wall by 300mm.
  - (b) The landscaping plan shall be revised to include the following:
    - the provision of at least one tree with a mature height of 15m, and a spreading canopy, within the rear setback area;
    - the provision of at least one tree with a mature height of 10m, and a spreading canopy, within the front setback area
    - hedge planting on the boundaries which have a mature height no greater than 2.7m.
  - (c) In order to reduce the amount of hard-paving within the front setback area, the width of the driveway shall be reduced and replaced with soft landscaping in accordance with the following drawing:



**Part 2 – General Conditions of Consent**

**ITEM 7 (continued)****ATTACHMENT 1**

**The following requirements shall apply upon satisfactory completion of the requirements outlined in Part I of this consent (above).**

1. Development is to be carried out in accordance with Plans approved under Part 1, Condition 1 of this consent (deferred commencement requirements).
2. Compliance with the Building Code of Australia
  - a) All building work (other than work relating to the temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date of the application for the relevant construction certificate or complying development certificate was made)
  - b) This clause does not apply to the extent to which an exemption is in force under clause 187 or 188, in the Environmental Planning and Assessment Regulations 2000, subject to any terms of any condition or requirement referred to in Clause 187(6) or 188(4).
3. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Amendment Act, 1997 are to be complied with:
  - a) A **Construction Certificate** is to be obtained in accordance with Section 81A (2)(a) of the Act.
  - b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A (2)(b) of the Act and Form 7 of Schedule 1 to the Regulations.
  - c) Council is to be notified at least two (2) days prior to the intention to commence building works, in accordance with Section 81A (2)(c) of the Act and Form 7 of Schedule 1 to the Regulations.
4. The applicant may apply to the Council or an accredited certifier for the issuing of a Construction Certificate and to Council or an accredited certifier to monitor compliance with the approval and issue any relevant documentary evidence or certificate/s.

Council Officers can provide these services and further information can be obtained from Council by telephoning 9952 8222 (Customer Service).
5. The development is to be carried out in compliance with BASIX Certificate No. 292043 dated 16 February 2010.
6. Any architectural and/or fixture changes to the development will require the submission of a new BASIX certificate. Please note that modifications may require the submission of a Section 96 application in accordance with the Environmental Planning & Assessment Act.
7. Residential Building Work

**ITEM 7 (continued)****ATTACHMENT 1**

- a) Building work that involves residential building work (within the meaning of the Home Building Act 1989) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:
    - i) in the case of work to be done under the Act: has been informed in writing of the licensee's name and contractor licence number, and is satisfied that the licensee had complied with the requirements of Part 6 of the Act; or
    - ii) in the case of work to be done by any other person: has been informed in writing of the person's name and owner-builder permit number; or has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of "owner builder work" in Section 29 of that Act, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.
  - b) A certificate purporting to be used by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purpose of this clause, sufficient evidence that the person has complied with the requirements of that Part.
8. Excavations and backfilling
- a. All excavations and backfill associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
  - b. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
9. Retaining walls and drainage
- If the soil conditions require it:
- a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided.
  - b) adequate provision must be made for drainage.
10. Support for neighbouring buildings
- If the soil conditions require it:



**ITEM 7 (continued)****ATTACHMENT 1**

- a) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
  - i) must preserve and protect the building from damage, and
  - ii) if necessary, must underpin and support the building in an approved manner, and
  - iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- b) The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on an adjoining allotment of land.
- c) In this clause, "allotment of land" includes a public road and any other public place.

**11. Protection of Public Places**

- a) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.
- b) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- c) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- d) Any such hoarding, fence or awning is to be removed when the work has been completed.

**12. Telephone Installations**

Advice should be obtained from your local telecommunications office regarding any telephone lines required to be installed in concrete floors.

**13. Australia Post**

Approval for the site and size of proposed household mailboxes must be obtained from Australia Post.

- 14. Waste Management Plan** - Should you wish to vary the information provided in the Waste Management Plan you submitted to Council with your Development Application involving demolition and construction works, you are required to give written advice to Council of any changes.

**ITEM 7 (continued)****ATTACHMENT 1**

Council's DCP 2006, Part 7.2 – Waste Minimisation and Management, sets out your obligations for waste management.

**PRIOR TO CONSTRUCTION CERTIFICATE**

15. Fencing is to be in accordance with Council's Fencing Development Control Plan.
16. A security deposit (dwelling houses with delivery of bricks or concrete or machine excavation) is to be paid to Council (Public Works and Services Group) as well as the Infrastructure Restoration and Administration Fee. Please refer to Council's Management Plan for the current fee amounts.
17. An **Enforcement levy** is to be paid to Council on lodgement of the **Construction Certificate** application in accordance with the requirements of Council's Management Plan (scheduled fees).
18. Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be received prior to the issuing of the **Construction Certificate**.
19. The applicant is to apply to Council, pay the required fee, and have issued street alignment levels by Council prior to the issue of the **Construction Certificate**.
20. Documentary evidence of compliance with Conditions 16-19 to the satisfaction of Council or an accredited certifier is to be submitted to the Council prior to the issuing of the **Construction Certificate**.
21. Sydney Water

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents details - see Building, Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water assets - see Building, Development and Plumbing then Building and Renovating.

Or telephone 13 20 92.

**ITEM 7 (continued)****ATTACHMENT 1**

The consent authority or a private accredited certifier must ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans before the issue of any **Construction Certificate**.

22. The applicant is to submit to and have approved by Council or an accredited certifier engineer's details for all concrete work and structural steelwork prior to the issue of the **Construction Certificate**.
23. City of Ryde will not issue a **Construction Certificate** without evidence of Home Owners Warranty / Owner Builder's Permit being submitted to Council.
24. Fire and Smoke Alarms are to be provided in accordance with Part 3.7.2 of the Building Code. Location details are to be submitted and approved by Council or an accredited certifier prior to the release of the **Construction Certificate**.
25. All retaining walls to excavated areas are to be completed at the earliest possible stage and prior to the erection of the timber and masonry framework. Details are to be submitted to and approved by Council or an accredited certifier prior to the issue of the **Construction Certificate**.
26. The **Construction Certificate** plans and specifications are to detail all of the 'CC plan' commitments of the BASIX Certificate.
27. 'Dial 1100 Before You Dig'

Underground pipes and cables may exist in the area. In your own interest and for safety, telephone 1100 before excavating or erecting structures. Information on the location of underground pipes and cables can also be obtained by fax on 1300 652 077 or through the following website [www.dialbeforeyoudig.com.au](http://www.dialbeforeyoudig.com.au).

If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the Development Consent (or a new development application) may be necessary. Council's Assessment Officer should be consulted prior to the lodgment of an application for a **Construction Certificate** if this is the case.

**DURING CONSTRUCTION**

28. Sediment control works are to be installed and maintained in accordance with Council's DCP 2006, Part 8.1 – "Construction Activities".
29. During the entire construction phase signage shall be fixed on site identifying the PCA and principal contractor (the coordinator of the building work), and providing phone numbers.

## ITEM 7 (continued)

## ATTACHMENT 1

30. All demolition and all construction and associated work is to be restricted to between the hours of 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

31. Adequate precautions must be taken to control the emission of dust from the site during demolition and construction work. These precautions could include minimizing soil disturbance, use of water sprays, erecting screens and not carrying out dusty work during windy conditions.

32. The occasions on which building work must be inspected are:

- a) at the commencement of the building work
- b) after excavation for, and prior to the placement of, any footings
- c) prior to pouring any in-situ reinforced concrete building element
- d) prior to covering of the framework for any floor, wall, roof or other building element
- e) prior to covering waterproofing in any wet areas
- f) prior to covering any stormwater drainage connections
- g) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Documentary evidence of compliance with Council's approval and relevant standards of construction is to be obtained prior to proceeding to the subsequent stages of construction and copies of the documentary evidence are to be maintained by the Principal Certifying Authority and be made available to Council officers upon request.

Prior to occupation of the building, an occupation certificate must be obtained. Prior to the issue of the occupation certificate, **the mandatory inspections must be carried out.**

33. In addition to the abovestated inspections, the Principal Certifying Authority is required to ensure that adequate provisions are made for the following measures at each stage of construction, to ensure compliance with the approval and City of Ryde's DCP 2006, Part 8.1 - "Construction Activities":

- a. Sediment control measures.
- b. Tree Preservation and protection measures.
- c. Security fencing.
- d. Materials or waste containers upon the footway or road.
- e. PCA and principal contractor (the coordinator of the building work) signage and site toilets.

34. Council recommends that a Registered Surveyors check survey certificate be submitted to the Principal Certifying Authority (*and Council, if Council is not the PCA*) detailing compliance with Council's approval at the following stages:

**ITEM 7 (continued)****ATTACHMENT 1**

- a) Prior to construction of each floor level showing the area of the land, proposed building and the boundary setbacks and verifying that the proposed building is being constructed to the approved levels.
  - b) On completion of the proposed building showing the area of the land, completed building and the boundary setbacks.
35. Concrete wastes must be collected, stored and treated in accordance with the *Concrete Wastes* guide published by the Environment Protection Authority.
36. Only unpolluted water is to be discharged to Council's stormwater drainage system.
37. The L<sub>10</sub> noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.
38. No spoil, stockpiles, building or demolition material is to be placed on any public road, footpath, park or Council owned land.
39. Site toilets shall be provided in accordance with the WorkCover Code of Practice entitled "Amenities for Construction Work".
40. At all times work is being undertaken within a public road adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in AS1742.3-1996 "Traffic Control Devices for Work on Roads".
41. Glass doors and fixed panels so located in relation to other parts of the building as to be capable of being mistaken as a doorway of unimpeded path or travel shall be provided with a Grade "A" Safety Glazing in accordance with AS 2088, Safety Glazing Materials for use in buildings (Human Impact Consideration). All other glazing shall be installed in accordance with Table 1A Appendix "A" of AS 1288 Glass Installation Code.
42. The doors to the sanitary compartments must open outwards, slide or be readily removable from the outside of the compartment unless there is clear space of at least 1.2m between the closest pan and the nearest part of the doorway (3.8.3.3 of the Building Code of Australia)
43. Treads, risers and balustrades are to comply with the Building Code of Australia Part 3.9.1 and Part 3.9.2. Balustrading is to be a minimum 1.0 metres high and any openings are not to exceed 125mm.
44. All timber framing is to comply with Part 3.4.3 – Timber Framing of the Building Code of Australia.

**ITEM 7 (continued)****ATTACHMENT 1**

45. All steel framing is to comply with Part 3.4.2 – Steel Framing of the Building Code of Australia.
46. Perimeter of slabs are to be provided with a drop-edge beam so as to provide face brickwork from the natural ground level.

**ENGINEERING CONDITIONS****General**

47. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria* and relevant Development Control Plans except as amended by other conditions.
48. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
49. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
50. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on the site.

**Prior To Construction Certificate**

51. **Driveway Grades.** The maximum grade of all internal driveways and vehicular ramps shall be 1 in 4 and in accordance with the relevant section of AS 2890.1. The maximum change of grade permitted is 1 in 8 (12.5%) for summit grade changes and 1 in 6.7 (15%) for sag grade changes. Any transition grades shall have a minimum length of 2.0m. The driveway design is to incorporate Council's issued footpath and gutter crossing levels and shall **be designed as a suspended slab to allow free passage of overland flow including accounting for the free passage of overland flow as recommended in the flood study report by Acor Appleyard dated February 2010.** Engineering certification and a driveway plan, longitudinal section from the centreline of the public road to

## ITEM 7 (continued)

## ATTACHMENT 1

the garage floor, and any necessary cross-sections clearly demonstrating that the driveway complies with the above details, and that vehicles may safely manoeuvre within the site without scraping shall be submitted with the Construction Certificate application.

52. **Structural Certification** Prior to the issue of Construction Certificate, a suitably qualified structural engineer shall certify that the building and elevated driveway structures are able to withstand the forces of floodwaters having regard to hydrostatic pressure, hydrodynamic pressure, the impact of debris and buoyancy forces up to the Probable Maximum Flood (PMF) event.
53. **Control of Stormwater Runoff.** Stormwater runoff from all impervious areas shall be collected and piped by gravity flow to the street gutter, a suitable Council pipeline or other point of discharge acceptable to Council via a minimum 15000 litres rainwater tank connected for internal reuse. The minimum capacity of the piped drainage system shall be equivalent to the collected runoff from a 20 year average recurrence interval storm event. Overland flow paths are to be provided to convey runoff when the capacity of the piped drainage system is exceeded for storms up to the 100 year average recurrence interval and direct it to Council's drainage system. Runoff which enters the site from upstream properties must not be redirected in a manner which adversely affects adjoining properties. The design shall ensure that the development, either during construction or upon completion, does not impede or divert natural surface water so as to have an adverse impact upon adjoining properties.
- Detailed engineering plans and engineering certification indicating compliance with this condition are to be submitted with the Construction Certificate application.
54. **Engineering Certification** A suitably qualified floodplain engineer shall certify that all structures, storage areas and utility services below the 100 year ARI flood event plus 0.5m freeboard are designed to be flood compatible in accordance with Schedule 1, Appendix D of Draft Floodplain Management DCP Provisions in the Eastwood & Terrys Creek Floodplain Risk Management Study & Plan October 2009.
55. **Water Tank First Flush.** A first flush mechanism is to be designed and constructed with the water tank system. Details of the first flush system are to be submitted with the construction certificate application.
56. **Erosion and Sediment Control Plan.** An *Erosion and Sediment Control Plan (ESCP)* shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual "*Managing Urban Stormwater, Soils and Construction*" prepared by the Department of Housing. These devices shall be maintained during the construction works and replaced where considered necessary.

**ITEM 7 (continued)****ATTACHMENT 1**

The following details are to be included in drawings accompanying the  
*Erosion and Sediment Control Plan*

- (a) Existing and final contours
- (b) The location of all earthworks, including roads, areas of cut and fill
- (c) Location of all impervious areas
- (d) **Location and design criteria of erosion and sediment control structures,**
- (e) Location and description of existing vegetation
- (f) Site access point/s and means of limiting material leaving the site
- (g) Location of proposed vegetated buffer strips
- (h) Location of critical areas (drainage lines, water bodies and unstable slopes)
- (i) Location of stockpiles
- (j) Means of diversion of uncontaminated upper catchment around disturbed areas
- (k) Procedures for maintenance of erosion and sediment controls
- (l) Details for any staging of works
- (m) Details and procedures for dust control.

**Prior to Commencement of Construction**

57. **Sediment and Erosion Control.** The applicant shall install appropriate sediment control devices in accordance with an approved plan **prior** to any earthworks being carried out on the site. These devices shall be maintained during the construction period and replaced where considered necessary. Suitable erosion control management procedures shall be practiced. This condition is imposed in order to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

58. **Compliance Certificate.** A Compliance Certificate should be obtained confirming that the constructed erosion and sediment control measures comply with the construction plan and City of Ryde, Development Control Plan 2006: - Part 8.1; Construction Activities

59. **Vehicle Footpath Crossings.** Concrete footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicle traffic. The location, design and construction shall conform to the requirements of Council. Crossings are to be constructed in plain reinforced concrete and finished levels shall conform with property alignment levels issued by Council's Public Works Division. Kerbs shall not be returned to the alignment line. Bridge and pipe crossings will not be permitted.

**Prior to Occupation Certificate**

60. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.



**ITEM 7 (continued)****ATTACHMENT 1**

61. **Overland Flow path.** No filling, alteration to the surface levels or other obstructions within the overland flow path across the site shall be made without prior approval of Council.
62. **Driveway Certification** An engineering certificate shall be provided to the PCA confirming the driveway has been constructed as a suspended slab, and allows the free passage of overland flow path.
63. **Fencing within Floodways.** All fencing within the overland flow path shall have a permeable section at least 300 mm above the calculated top water surface level.
64. **Compliance Certificates – Engineering.** Compliance Certificates should be obtained for the following (If Council is appointed the Principal Certifying Authority [PCA] then the appropriate inspection fee is to be paid to Council) and **submitted to the PCA**:
- Confirming that all vehicular footway and gutter (layback) crossings are constructed in accordance with the construction plan requirements and Ryde City Council's *Environmental Standards Development Criteria - 1999*.
  - Confirming that the driveway is constructed in accordance with the construction plan requirements and Ryde City Council's *Environmental Standards Development Criteria - 1999*.
  - Confirming that the site drainage system servicing the development complies with the construction plan requirements and City of Ryde, Development Control Plan 2006: - Part 8.2; Stormwater Management
  - Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including the on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
  - Confirming that the vehicular crossing has been removed and the kerb and gutter have been constructed in accordance with Council's *Environmental Standards Development Criteria*
65. **Restriction as to User, Floodway.** A restriction as to user is to be placed on the property title to prevent the alteration of the ground surface and maintenance within the 100 year Average Recurrence Interval flow path and also not to have any structure placed inside without Council permission. The terms of the restriction shall be generally in accordance with Council's draft terms for provision for overland flow and to the satisfaction of Council.
66. **Drainage Construction.** The stormwater drainage on the site is to be constructed in accordance with plan the Construction Certificate version of Plan No. G0090980/C1 & C2 Issue 3 dated March 2010 prepared by Acor Appleyard.

**ITEM 7 (continued)****ATTACHMENT 1****PRIOR TO OCCUPATION CERTIFICATE**

67. Documentary evidence of landscape planting and construction in accordance with the approved plan and specified items is to be submitted to the Council prior to occupation of the building.
68. An **Occupation Certificate** must be obtained from the Principal Certifying Authority (PCA) and a copy furnished to Council in accordance with Clause 151 of the Environmental Planning and Assessment Regulation 2000 prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.
69. Prior to the issue of the Occupation Certificate, the Principal Certifying Authority is to ensure that the BASIX commitments have been implemented in accordance with the approved BASIX Certificate. **NOTE:** Certificates from suitably qualified persons are to be submitted to the Principal Certifying Authority (*if Council is the PCA*) verifying that all BASIX commitments listed have been fulfilled in accordance with the BASIX Certificate.
70. A certificate from a suitably qualified person is to be submitted to the Principal Certifying Authority (*and Council, if Council is not the PCA*) that the method of Termite Protection has been provided in accordance with Part 3.1.3 of the Building Code of Australia and the requirements of the Australian Standard 3660.1.
71. A certificate from a suitably qualified person is to be submitted to the Principal Certifying Authority (*and Council, if Council is not the PCA*) that the method of waterproofing wet areas has been provided in accordance with Part 3.8.1 of the Building Code of Australia and the requirements of the Australian Standard 3740 prior to wall tiling.
72. A certificate from a suitably qualified person is to be submitted to the Principal Certifying Authority (*and Council, if Council is not the PCA*) that Fire and Smoke Alarms have been provided in accordance with Part 3.7.2 of the Building Code.

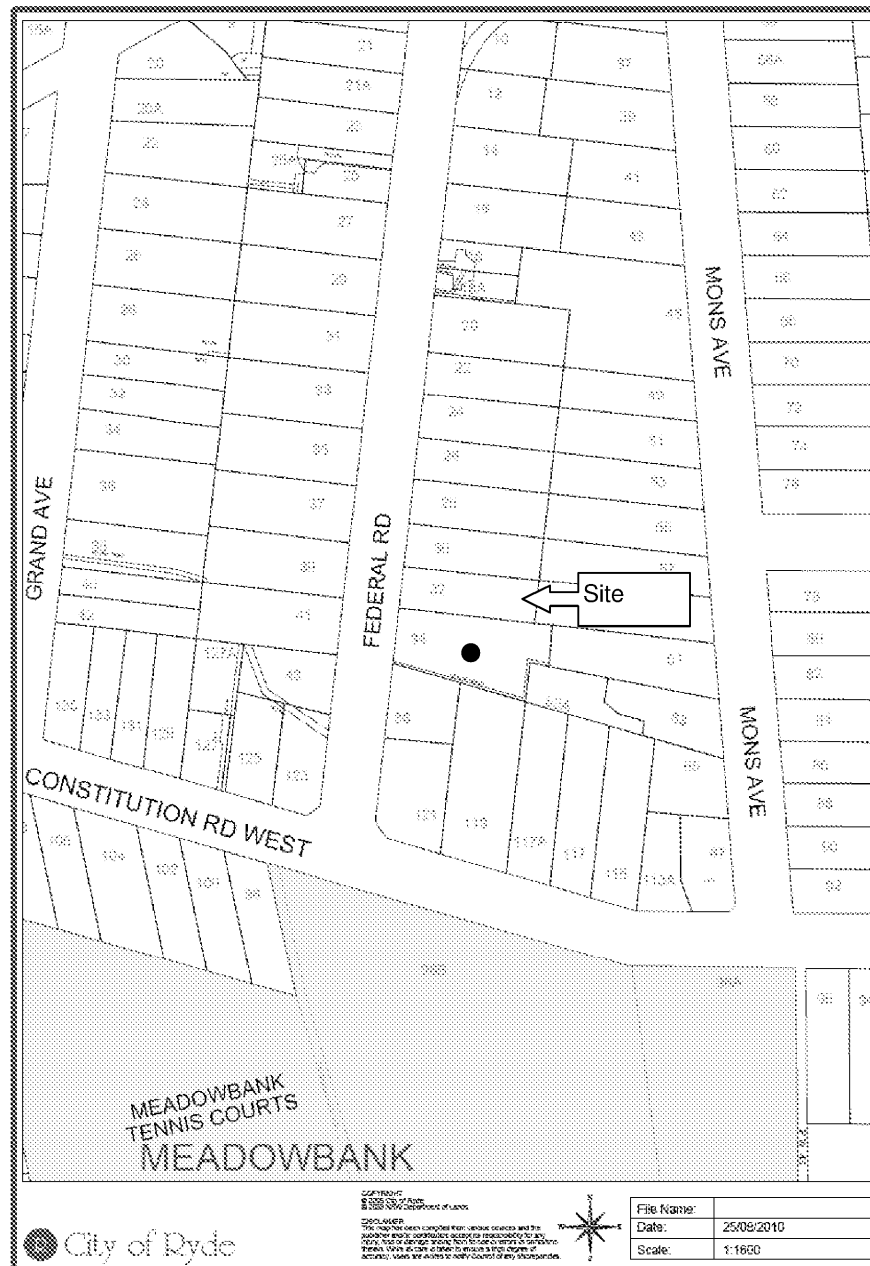
**POST OCCUPATION CERTIFICATE**

73. Within 2 days of issuing a final Occupation Certificate, the Principal Certifying Authority (PCA) is required to generate a BASIX Completion Receipt in accordance with the provisions of the EP & A Regulation 2000. The PCA is to refer to the BASIX Completion Receipt tool at [www.basix.nsw.gov.au/administration/login.jsp](http://www.basix.nsw.gov.au/administration/login.jsp) in order to generate the BASIX Completion Receipt and a printed copy of the receipt is to be placed on the PCA file.

## ITEM 7 (continued)

## ATTACHMENT 2

● Indicates submissions received to amended plans



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## **8 CALL FOR TWO (2) COUNCILLORS TO BE MEMBERS OF THE CHALLENGE COMMITTEE FOR THE BEST VALUE REVIEW OF THE DEVELOPMENT ASSESSMENT PROCESS**

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**Report prepared by:** Manager Assessment

**Report dated:** 8 September 2010

**File No.:** GRP/10/3/001/6 - BP10/541

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### **REPORT**

#### **Report Summary**

In accordance with the 2010/11 Management Plan, Council will be undertaking a Best Value Review of its development assessment process. To ensure the best possible outcome, two (2) Councillors are requested to be part of the Challenge Committee to challenge and review all aspects of the project.

A challenge group will be created to challenge the process at 3 junctures:

1. Scope and methodology
2. Improvements to processes (following customer feedback)
3. Final recommendation

#### **RECOMMENDATION:**

That two (2) Councillors be nominated to be members of the Challenge Committee to challenge and review the "Best Value Review" of the Development Assessment Process.

#### **ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Liz Coad**  
**Manager Assessment**

Report Approved By:

**Dominic Johnson**  
**Group Manager Environment & Planning**

**ITEM 8 (continued)****Background**

The Best Value Review of the Development Assessment Process will be conducted with the following principles in mind:

- The service provides value for money for the community;
- The service is responsive to community need;
- The service is accessible;
- The service is continuously improving;
- The service is engaged in regular consultation with its community; and
- The service reports to its community regularly, through Council's management plan and annual report.

The review will examine the development assessment process. The review will also consider similar functions in the other DLG Group 3 Councils. Through the application of the six principles, the areas where change interventions should occur to make appropriate changes to the service and provide "Best Value" to the community are to be identified.

City of Ryde has a statutory role in providing development assessment services. The review shall examine the level of resources available to provide these services, and identify opportunities to raise that standard. The review will be led by staff and facilitated/organised by a consultant.

The outcome of the Review will provide Council with options, including details on resourcing required to make them viable.

The following issues are to be included in the Review;

**a) Review of the Development Assessment Process:****i) The process:**

1. Prelodgement.
2. Documentation available, including forms, guides, Development Control Plans, online information.
3. Advice/Assistance at the counter.
4. Methods of lodgement (online, post, by hand).
5. Fees and methods of payment.
6. Pre-assessment.
7. Referrals, internal and external.
8. Notification, including advertising, sign on land, as appropriate.
9. Consideration of any submissions.
10. Assessment, including any amendments made to plans, requests for additional information.
11. Withdrawal process.
12. Conditions, including process of linking conditions with certifying.
13. Delegation process - Manager, General Manager, Council.
14. Section 82A reviews of determination.
15. Team culture and work practices.
16. Design of workplace.
17. Staffing working relationships and relationships with other units.

**ITEM 8 (continued)**

18. Quality assurance, managing probity and risks.
19. Overall cost of assessment process to the organisation.
20. Relationship with certifiers and certifying processes.
21. Interface with planning instruments.

ii) Contact made by Council during assessment process to applicant and other stakeholders, e.g. reports, letters, phone calls, referrals.

iii) Statistical reporting.

iv) Core IT systems used and the requirements to introduce electronic lodgement of DAs and to enhance online information available to City of Ryde customers to ensure continual improvement in the development assessment process. Processes to be reviewed as well as available IT systems to enhance services.

**b) Developers levy and fee processes.**

To consider the outcomes of the review from the Audit Project Review of Procedures / DA use, S94 contribution & processing fees, and any recommendations from that Audit that are required to be implemented.

**c) Recommendations for improvements to the development control plans**

To speed up the assessment process whilst maintaining a high level of transparency, equity, and adherence to legislative and legal requirements.

**Report**

Part of the Best Value Review process is the formation of a Challenge Committee to;

1. Review and challenge the Project brief;
2. Review and challenge the service provider with regard to;
  - a. The proposed methodology
  - b. Proposed policy and process outcomes
  - c. Proposed recommendations
  - d. Proposed implementation plan;
3. Exercise independent judgment to ensure that the project meets its agreed outcomes.

The Challenge Committee will comprise:

- 2 Councillors
- General Manager
- Group Manager Environment & Planning
- Manager Assessment
- General Counsel
- Manager Risk and Audit
- Manager Customer Service
- Team Leader Building & Development Advisory Service

**ITEM 8 (continued)**

The purpose of this report is to identify two (2) Councillors to be part of this Committee. It is estimated that there will be 3 meetings of about 1.5 hrs each over the course of the next year as the review is developed. In addition to this there would be an expectation of reading and preparation prior to the meetings.

**Consultation**

Internal Council business units consulted included:-

- Not applicable.

Internal Workshops held:-

- Not applicable.

External public consultation included:-

- Not applicable.

**Critical Dates**

The following deadlines are required to be met:

- A key role of the Challenge Committee is to challenge the brief for the Best Value Review. For the Review to be completed within the intended 12 months it is anticipated that the initial meeting of the Committee will need to take place in early October 2010.

**Financial Impact**

It is estimated that the total cost of the Best Value Review is \$80,000.

This project is provided for in the 2010/11 Assessment budget.

There will be no on-going costs of maintaining this project. Implementation and costing of recommendations is out of scope for this project.

**Policy Implications**

There are no policy implications through the adoption of the recommendation.

**Other Options**

Councillors can opt not to be represented on the Challenge Committee for the Best Value Review.

**Conclusion**

Two (2) Councillors are requested to be part of the Challenge Committee being formed to challenge and review all aspects of the Best Value Review of the Development Assessment Process as it progresses to ensure a quality outcome.

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**9 MACQUARIE PARK CBD - Additional Bus Zones, Macquarie Park**

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**Report prepared by:** Senior Traffic Engineer**Report dated:** 15/09/2010**File No.:** GRP/10/1/001/6 - BP10/561

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**Report Summary**

On 20 July 2010, the NSW Transport Minister announced new Metrobus routes, two (2) of which will service Macquarie Park (See M54 Bus Route **ATTACHED**).

- The M54 bus routes are to commence on 10 October 2010.
- The M41 bus routes are scheduled to commence in late January 2011.

These services require parking (Bus Terminus) areas for the buses which the STA is proposing in on-street locations, requiring adjustments to traffic and parking controls. The matter has been previously discussed at the Ryde Traffic Committee, but needs a direct report to Council to settle the locations given the need for these to be in place when the services commence.

Following the Ryde Traffic Committee and discussions, the State Transit Authority (STA), in collaboration with Council, has proposed three (3) locations (both sides of the road) that have least impact on businesses, residential parking and regulated parking areas. These locations are:

- Both sides of Waterloo Road – between Lane Cove Road and Eden Park Drive.
- Northern side of Waterloo Road – immediately west of the University Village.
- Both sides of Talavera Road – west of Christie Road.

**RECOMMENDATION:**

- (a) That Council approves the two Bus Terminus locations proposed by Sydney Buses for Macquarie Park CBD as detailed in the body of this report that entails the following bus zone requirements:

**Terminus One:**

- Waterloo Road (southern side), 41 metres (extended from existing 23 metres) bus zone (east of Lane Cove Road)
- Waterloo Road (northern side), 51 metres (extended from existing 32 metres) bus zone (east of Lane Cove Road)

**Terminus Two:**

- Waterloo Road (northern side), 40 metres (combined) bus zone (west of Trafalgar Place)

**Terminus Three:**

- Talavera Road (southern side), 23 metre bus zone (west of Christie Road)
- Talavera Road (northern side), 18 metres bus zone (west of Christie Road)



**ITEM 9 (continued)**

- (b) That all costs associated with establishing the Terminuses be met by Sydney Buses (State Transit Authority), which may include any adjustments to Council's existing traffic management facilities.
- (c) That Council work with the STA to develop a long term bus strategy for Macquarie Park.

**ATTACHMENTS**

- 1** Metrobus M54 Bus Route
- 2** Aerial Photographs showing Locations of Bus Terminuses.
- 3** Location Plan Proposed Bus Zone ( East of Lane Cove Road ) proposed by Sydney Buses
- 4** Location Plan Proposed Bus Zone ( Waterloo Road - West of Trafalgar Place ) proposed by Sydney Buses
- 5** Location Plan Proposed Bus Zone ( Talavera Road - West of Christie Road ) proposed by Sydney Buses

Report Prepared By:

**Harry Muker**  
**Senior Traffic Engineer**

Report Approved By:

**Anthony Ogle**  
**Manager Access**

**Barry Hodge**  
**Acting Group Manager - Public Works**

**ITEM 9 (continued)****Background**

At the Ryde Traffic Committee meeting on the 5 August 2010 a report titled "Macquarie Park CBD – Additional Bus Zones, Macquarie Park" was tabled following representations received by Council from Sydney Buses for additional bus terminuses in Macquarie Park to support the additional growth of bus services to Macquarie Park.

The Traffic Committee recommended the following:

- (i). That Council note that Council's staff, Sydney Buses (State Transit Authority) and the ComfortDegroCabCharge (Hillsbus & Westbus) are working together on the details to settle on suitable bus zone locations within Macquarie Park.*
- (ii). That the request for additional bus zones be re-tabled at the next meeting of the Ryde Traffic Committee to be held on 16 September 2010.*
- (iii). That a further report be prepared for the Committee's consideration.*

Council at its meeting on the 17 August 2010 resolved to adopt the above recommendation.

Increasing public transport usage for access to Macquarie Park is also a key aim of Council to support the development of the area, and Council needs to assist the STA in establishing the new Metrobus services.

**Report**

Sydney buses have undertaken an onsite audit of possible bus terminus location options within Macquarie Park CBD. It is noted the Metrobus services will be using the longer 19m articulated ("bendy") buses to maximise patronage capacity.

Through the assessment process three (3) terminuses have been identified and are described in detail below:

- Terminus One: State Transit will change the route taken by the new Metro Bus M54 through Macquarie Park so that the bus travels along Waterloo Road, using existing bus zones, to the previous route 295 terminus. This terminus was located on both sides of Waterloo Road between Lane Cove Road and Eden Park Drive.

The M54 service would set down at the bus zone on the northern side of Waterloo Road immediately east of Lane Cove Road. It would then make a 180 degree turn at the Eden Park Drive roundabout and take its stand on the southern side of Waterloo Road immediately west of the Eden Park Drive roundabout.

The existing bus zone on the northern side of Waterloo Road east of Lane Cove Road needs to be extended in an easterly direction by 19 metres. This can be done by reducing the No Stopping area by 19 metres. The existing bus zone on the southern side of Waterloo Road immediately west of the Eden Park Drive roundabout needs to be extended by 19 metres. This can be done by reducing the No Stopping area immediately east of the existing bus zone by 19 metres.

**ITEM 9 (continued)**

These changes can be implemented without impact on surrounding businesses or car parking arrangements. **(See ATTACHED location plan details).**

- **Terminus Two:** The route of the new Metro Bus M41 will be changed to operate via Waterloo Road, Herring Road and Talavera Road, terminating in Waterloo Road on the southern side, immediately west of the entrance to the University Village. On the northern side of the road adjacent to Trafalgar Reserve, State Transit requests that six unregulated parking spaces be removed and made bus zones between the driveway of 199 Waterloo Road and the No Stopping area immediately west of Trafalgar Place. The first of these bus zones are to be 21 metres long, between the driveway of 199 Waterloo Road and the Mail zone. The second bus zone is requested to be 19 metres in length between the Mail zone and the No Stopping area. **(See ATTACHED for location plan details).**
- **Terminus Three:** The new bus route will also require bus terminuses in Talavera Road to be installed both sides of the road immediately west of Christie Road, outside the new Hospital.

Outside the new hospital, on the southern side of Talavera Road there is a 43 metre No Stopping area which can be reduced in size to 20 metres and a bus zone installed within the remaining 23 metres. On the northern side of Talavera Road opposite the hospital, immediately west of Christie Road, there are three 12 hour ticketed parking spaces between a No Stopping area and a No Parking area that State Transit requests be converted to an 18 metre long bus zone. **(See ATTACHED for location plan details).**

The bus zone proposal along Waterloo Road west of the entrance to University Village is situated along the frontage of a public park which does not interfere with residential or business parking, and will integrate with an existing operational bus stop that is currently well patronised.

The loss of metered parking spaces along Talavera Road could be readily accommodated by changing the parking restrictions adjacent to the currently metered zone (further west along Talavera Road) to include an equivalent number (three) of metered bays. The cost of adjusting the meters is expected to be funded by Sydney Buses.

**Consultation**

Internal Council business units consulted included:-

- Public Works (Access – Traffic)

Internal Workshops held:-

- Not Applicable

City of Ryde Advisory Committees consulted included:-

- Not Applicable

**ITEM 9 (continued)**

External public consultation included:-

- Not Applicable

**Comments**

The request has been generated by Sydney Buses (State Transit Authority - State Agency) and has been developed following consultation (by Sydney Buses) with other bus private charters that service the Macquarie Park CBD.

**Critical Dates**

- On 10 October 2010 the M54 Bus Route will commence services to Macquarie Park.

**Financial Impact**

Any costs associated with any civil adjustments to Council's existing traffic management facilities (i.e. roundabout etc) would be at no cost to Council (fully funded by Sydney Buses). The signage changes, estimated at \$3000, would be included in the cost of works to be funded by Sydney Buses.

**Policy Implications**

There are no policy implications through adoption of the recommendation.

**Other Options**

Sydney Buses considered possible additional bus zones in Culloden Road, but decided not to pursue this proposal. This option would have resulted in a loss of some five (5) car parking spaces along the side frontages of residential properties, which would likely have been opposed by the residents affected.

**Conclusion**

The Bus Terminus proposals (1 & 2) and the associated bus zone requests proposed by Sydney buses have taken into account previous concerns relating to metered parking (in high use areas), residential parking and business parking. The proposed bus locations which are broadly described as follows are considered to be reasonable requests following a thorough assessment review undertaken by Sydney Buses in conjunction with Council officers:

**Terminus One:**

- Waterloo Road (southern side), 41 metres (extended from existing 23 metres) bus zone (east of Lane Cove Road)
- Waterloo Road (northern side), 51 metres (extended from existing 32 metres) bus zone (east of Lane Cove Road)

**Terminus Two:**

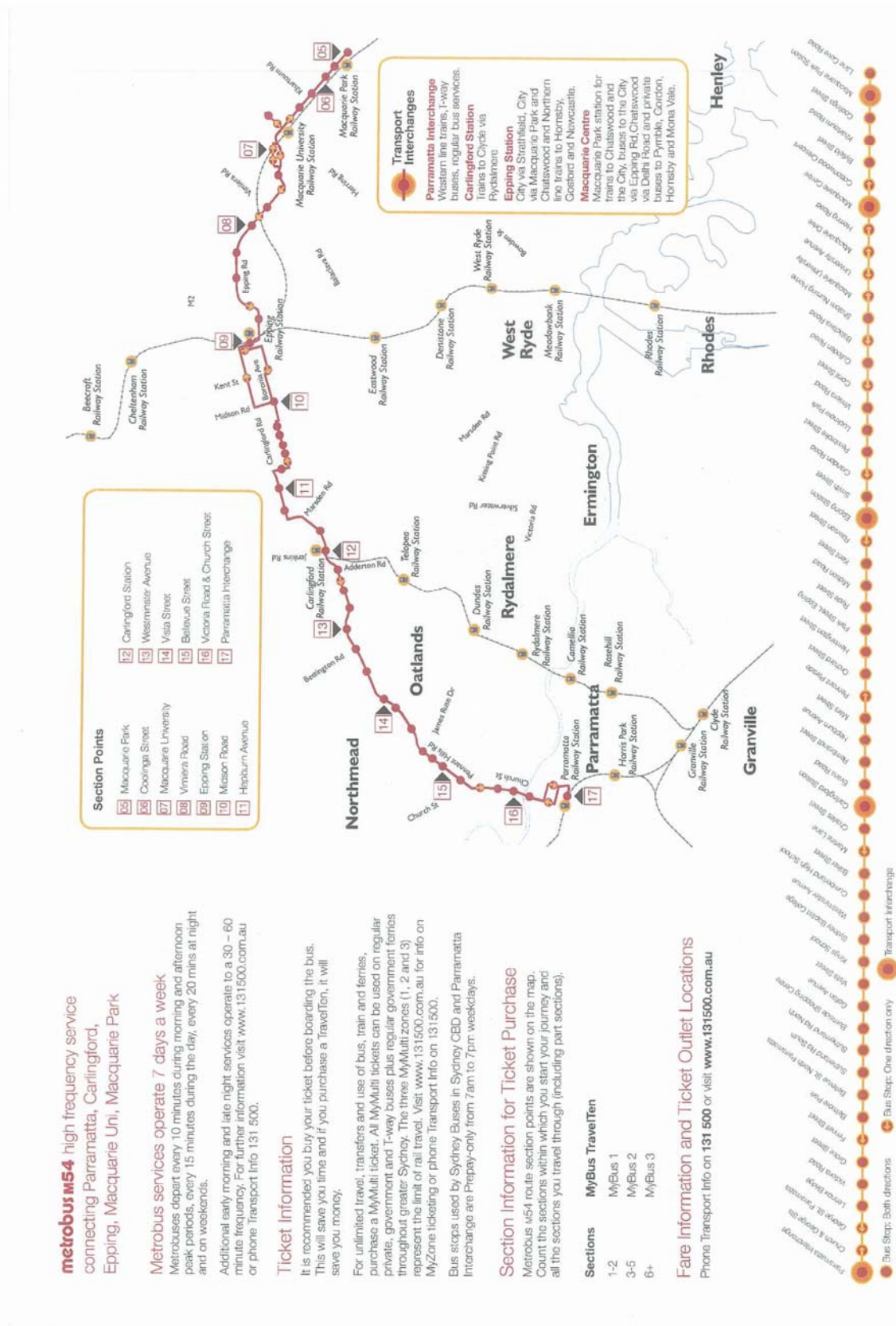
- Waterloo Road (northern side), 40 metres (combined) bus zone (west of Trafalgar Place)

**Terminus Three:**

- Talavera Road (southern side), 23 metre bus zone (west of Christie Road)
- Talavera Road (northern side), 18 metres bus zone (west of Christie Road)

## ITEM 9 (continued)

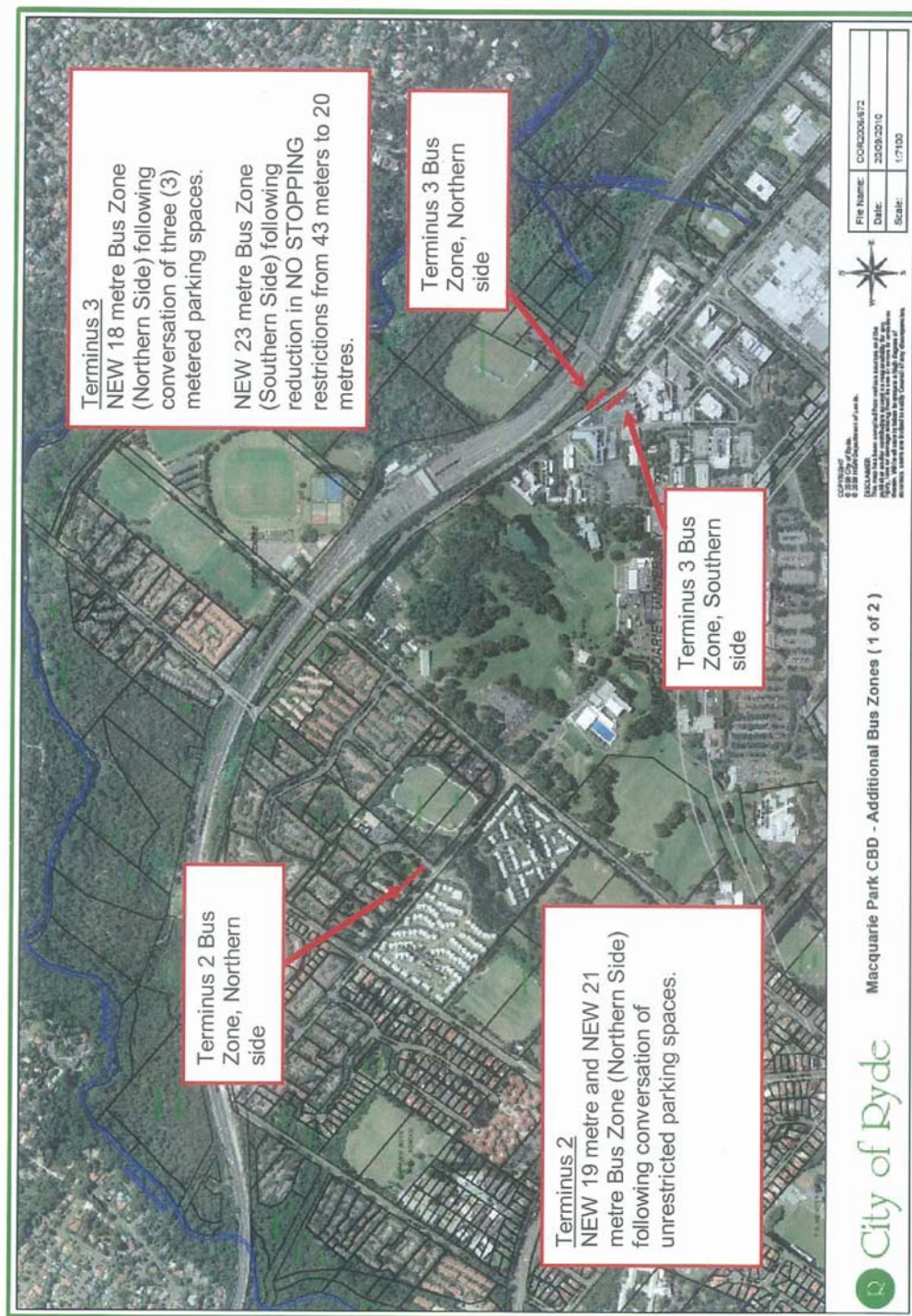
## ATTACHMENT 1





## ITEM 9 (continued)

## ATTACHMENT 2





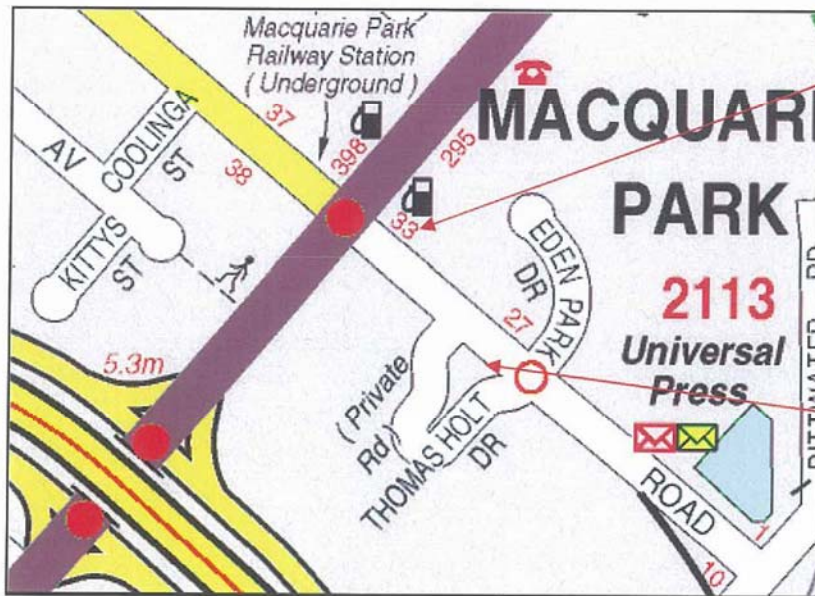
## ITEM 9 (continued)

## ATTACHMENT 2



## ITEM 9 (continued)

## ATTACHMENT 3

Extend Bus Zones on Waterloo Road

Extend the existing bus zone by 19 metres by changing the "No Stopping" area eastward to bus zone.

Extend the existing bus zone by 19 metres by changing the "No Stopping" area eastward to bus zone.

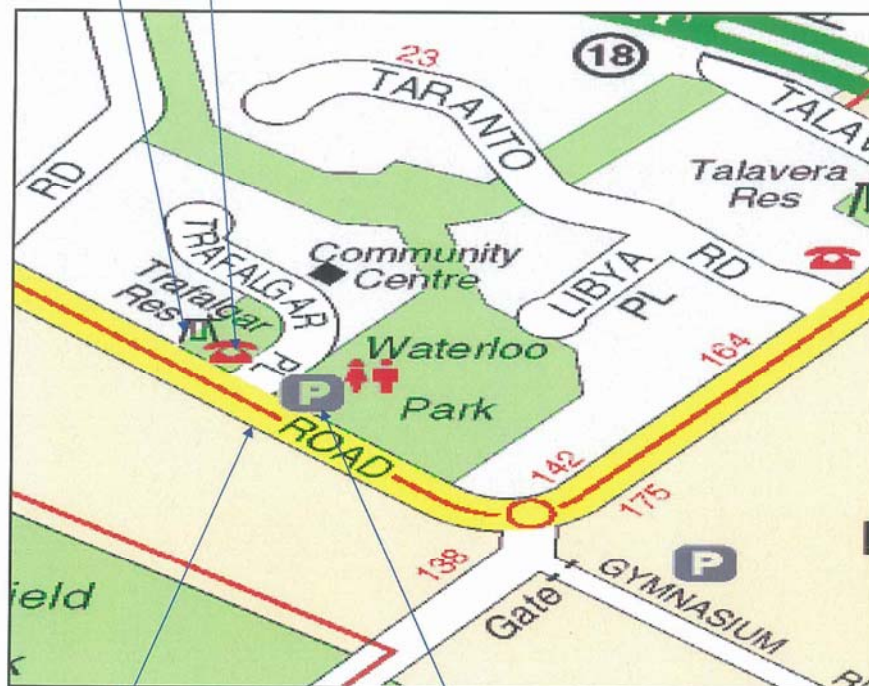


**ITEM 9 (continued)**

## ATTACHMENT 4

### New Bus Zone adjacent to Trafalgar Reserve

Note: 21 metres from the eastern edge of the driveway of 199 Waterloo Road to the mail zone. Then 19 metres from the Mail zone to the No Stopping area.



Existing Terminating  
Bus zone (South side)

Existing pick up  
Bus zone (North side)

Additional Note: The area, adjacent to Trafalgar Reserve, is currently unlimited parking used by University Students between 8.00am-6.00pm.

**ITEM 9 (continued)**

## ATTACHMENT 5



**10 ROTARY CLUB OF RYDE - ROTARY MENTAL HEALTH COMMUNITY FORUM**

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**Report prepared by:** Manager Community Facilities**Report dated:** 16/09/2010**File No.:** GRP/09/4/2/1 - BP10/566

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**Report Summary**

To recommend approval for the Rotary Club of Ryde to use North Ryde School of Arts Community Hall on Thursday 14 October 2010 between the hours of 4pm and 10pm for a "Rotary Mental Health Community Forum" event with all hall hire fees associated with this use being waived by Council which are \$280. In addition the Rotary Club of Ryde intends to hold a maximum of three forums each year and requests that all future hire charges are also waived.

**RECOMMENDATION:**

- (a) That Council provide North Ryde School of Arts Community Centre to The Rotary Club of Ryde to conduct three forums on Mental Health issues free of charge to the value of \$840 in 2010.
- (b) That Council encourage the Rotary Club of Ryde to apply for future support through Council's Community Grants Program.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Ian Cartwright**  
**Manager Community Facilities**

Report Approved By:

**Derek McCarthy**  
**Manager - Community Relations and Events**

**Simone Schwarz**  
**Group Manager - Community Life**

**ITEM 10 (continued)****Background**

The Rotary Club of Ryde are a community run organisation that are requesting the waiver of hall hire fees to use North Ryde School of Arts Community Hall for a "Rotary Mental Health Community Forum" event. There have been two previous forums in 2008 and 2009 both of which received support from Council by way of waiving the hire fee of the venue.

**Report**

The Rotary Club of Ryde has requested support from Council to provide a venue to conduct Mental Health forums under the auspices of Australian Rotary Health, which is the largest non-government funding body of mental illness research in the Country.

The forums are advertised throughout the area in the printed media, the radio and by direct contact to doctors and many relevant community support organisations. The workshops are designed and targeted participants coming through community services groups and medical practioners. This event will be used to promote better health within the City of Ryde and bring the local community together.

**Consultation**

Internal Council business units consulted included:-

- Community and Culture

Internal Workshops held:-

- Not Applicable

City of Ryde Advisory Committees consulted included:-

- Not Applicable

External public consultation included:-

- Not Applicable

**Comments**

Theses forums will allow Doctors, medical practioners, community support organisations and members of the local community to meet and discuss a range of issues and concerns in relation to Mental Health in the community.

**Critical Date**

The following deadlines are required to be met:

- The first schedule forum be 14 October 2010

**Financial Impact**

The on-going cost of maintaining this proposal is \$840 and could be included in future operation budgets

**Policy Implications**

There are no policy implications through adoption of the recommendation.

**ITEM 10 (continued)****Other Options**

Council may decide not to waive the fees for this event and the additional two events.

**Conclusion**

This forum gives Council the opportunity to partner with local community organisations and medical practioners in the area on Mental Health issues in the community.



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**11 INVESTMENT POLICY - Revised in accordance with DLG Guidelines**

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**Report prepared by:** Chief Financial Officer**Report dated:** 10/08/2010**File No.:** GRP/10/3/001/6 - BP10/465

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**Report Summary**

This report is submitted to Council seeking approval to adopt a revised Investment Policy following the release of the Department of Local Government's Investment Policy Guidelines.

The Draft Policy has incorporated all key aspects from the Guidelines. The key areas amended in the Policy are in the areas of:

- Delegation of Authority – In addition to delegation of General Manager, includes delegation to Group Manager Corporate Services and Chief Financial Officer
- Approved Investments – defined approved investments in accordance with revised Ministers Order.

The Draft Policy also reflects the feedback and recommendations from Council's Investment Advisors, Oakvale Capital Limited.

**RECOMMENDATION:**

That the revised Investment Policy be adopted, effective from the 29<sup>th</sup> September 2010.

**ATTACHMENTS**

The Policy and Guidelines - **UNDER SEPARATE COVER**

Report Prepared By:

**Richard Nankivell**  
**Chief Financial Officer**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

**ITEM 11 (continued)****Background**

The Department of Local Government commissioned a Review of NSW Local Government Investments which was conducted by Mr Michael Cole following the onset of the global financial crisis in September 2007.

The recommendations from the review included:

- Amendments to the existing Ministerial Order
- Grandfathering existing investments excluded by the proposed changes to the Ministerial Order
- Excluding manufacturers and distributors of investment products from acting as investment advisors to councils
- Suspending investments with specific credit ratings until December 2009
- Ensuring councils are more fully aware of their obligations under the Local Government Act and Trustee Act 1925(NSW)
- Issuing policy guidelines for councils

The NSW Government adopted all the recommendations arising from the Cole Review with the Minister for Local Government issuing a revised Investment Order on 31 July 2008.

The Department undertook to release guidelines aimed at assisting Councils in developing a comprehensive Investment Policy and they were released on 25 May 2010.

The City of Ryde, as an interim measure, undertook a review of its Investment Policy in September 2007 to strengthen the governance framework of Council's Investment Portfolio whilst awaiting the release of the guidelines.

Council Officers following discussions with Council's Independent Investment Advisors Oakvale Capital Limited on the new Investment guidelines have revised Council's Investment Policy and it is submitted for Council's consideration and adoption.

**Report**

As a consequence of the Cole Review, the Minister for Local Government issued a revised Investment Order on 31 July 2008 pursuant to Section 625 of the Local Government Act and undertook to issue guidelines aimed at assisting Councils in developing a comprehensive investment policy.

The Minister's Order restricted the types of investments Councils could invest in, improved the wording / clarity of the allowable investments and made transitional arrangements for the grandfathering of existing investments.

**ITEM 11 (continued)**

The Minister's Order effectively restricts Council's to investing in the following types of investments:

- Commonwealth, State and NSW Council securities - bonds
- Interest bearing Deposits offered by Banks & Approved Deposit Taking Institutions (ADIs) but excluding subordinated debt – this includes term deposits, floating rate notes
- Deposits with Local Government Financial Services
- Deposits with NSW Treasury Corporation (NSW TCorp)
- Investments in an Hourglass Investment Facility with NSW TCorp
- Mortgage of land in Commonwealth provided 1st mortgage and loan to value ratio is no greater than 60%.

The following types of investments are no-longer permitted:

- Bank subordinated debt
- Managed funds with the exception of NSW TCorp
- Structured products such as CDOs, CPDOs and Capital Guaranteed Products

Council has generally been utilising the Federal Government's guarantee and investing in Term Deposits with the major banks and a range of Credit Unions (ADIs) on a short term basis and some longer dated investments (generally up to 6 months maturity) where more competitive rates are available. The Federal Government's \$1M deposit guarantee expires in October 2011.

The DLG guidelines specify that Council's Investment policy should as a minimum:

- Set the objectives of investing
- Outline the legislative requirements
- Ascertain authority for implementation and management of the policy
- Establish the capital, liquidity/duration and return expectations
- Determine the diversity of the investment portfolio
- Define the risk profile
- Establish the legal title
- Set benchmarks
- Establish monitoring and reporting requirements
- Define duties, obligations and required skills of the council and the council officers and
- Set a date for the policy to be reviewed.

Whilst the existing Investment Policy was based on the NSW Local Government Finance Professionals' Investments Best Practice Guide and incorporated all the elements of the guidelines, it has been revised to more closely align with the model policy.



**ITEM 11 (continued)**

Council's Investment Policy also includes a three tiered risk management framework providing identifiable parameters for overall portfolio credit risk, individual institutional credit risk and term to maturity risk.

Council's Investment Advisor Oakvale Capital Limited advise that credit ratings remain a valuable tool in helping ensure diversification of an investment portfolio and recommends the continued use of this framework. This is supported by Council officers.

It should be noted that following a review of delegations, the General Manager has delegated to both the Group Manager Corporate Services and the Chief Financial Officer authority to authorise investments up to the value of \$1 million in accordance with Council's Investment Policy subject to prior consultation with the General Manager.

Any proposed investments over \$1 million are reviewed by the Chief Financial Officer and recommended to the Group Manager Corporate Services for review and referral to the General Manager for approval.

The maximum term for any investment will remain at 7 years duration.

The revised Investment Policy fully complies with the DLG Investment Policy Checklist.

The DLG guidelines also provide an Investment Products Check List. Council has a robust process for the selection and approval of investments and this has been amended to incorporate the suggested checklist into the investment approval process.

It is noted that Council's Independent Investment Advisor, Oakvale Capital Limited have previously commented that the City of Ryde has a very thorough investment approval process, particularly in comparison to other Councils. (Councillor Workshop 11 December 2007).

The DLG Guidelines also contain an Investment Advisor Selection Criteria. Council used a similar Investment Advisor Selection Criteria when appointing its Investment Advisors in late 2007.

The adoption of the revised Investment Policy will bring Council's policy in line with the Minister's Order and DLG Investment Guidelines and further strengthen Council's governance framework in respect of the management of its investment portfolio.

**Consultation**

Internal Council business units consulted included:-

- Finance

Internal Workshops held:-

- Nil

**ITEM 11 (continued)**

City of Ryde Advisory Committees consulted included:-

- Not Applicable

External public consultation included:-

- Council's Independent Investment Advisor Oakvale Capital Limited
- Benchmarked with other Councils

**Critical Dates**

The review of the Council's Investment Policy by October 2010 is listed in the 2010-2014 Management Plan as a key deliverable for the Finance Unit.

The revised Investment Policy (if adopted) is proposed to take effect from 29 September 2010.

**Financial Impact**

Adoption of the option(s) outlined in this report will have no financial impact.

**Policy Implications**

The revised Investment Policy is designed to further strengthen the governance framework of Council's Investment policy and guide Council's approach to investments.

**Other Options**

The Council could decide to discuss this matter at a future workshop prior to adopting a revised Investment Policy.

**Conclusion**

The revised Investment Policy updates Council's policy in terms of the Minister's Order and the DLG Investment Guidelines. The Investment Policy enhances the transparency and strengthens the governance framework of Council's Investment Portfolio.

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**12 INVESTMENT REPORT - August 2010**

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**Report prepared by:** Chief Financial Officer**Report dated:** 14/09/2010**File No.:** GRP/09/7/1/7 - BP10/558

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**Report Summary**

This report provides details of Council's performance against the benchmark for returns of its investment portfolio for the month of August 2010, and the performance of Council's investments for the previous 12 months.

Council's financial year to date return is 6.20%, 1.21% above benchmark. Income from interest on investments totals \$945K, being \$445K above budget projections as per the 2010-2014 Management Plan.

Of this amount \$301K relates to the sale of the Lehmans/ Grange IMP - Flinders CDO for \$301K, with the proceeds from this sale being held in the Financial Security Reserve. The Financial Security Reserve, following these additional funds has a balance of \$440K.

Council continues to invest in term deposits to take advantage of the Federal Government's guarantee which expires in October 2011.

The report includes the estimated market valuation of Council's investment portfolio with a commentary on significant events in the global financial markets. The report also details Council's current loan liability with the average return on Council's term deposits being greater than the current interest rate applying to Council's loans.

**RECOMMENDATION:**

That the report of the Chief Financial Officer, dated 14/09/2010 on INVESTMENT REPORT – August 2010, be endorsed.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Richard Nankivell**  
**Chief Financial Officer**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

**ITEM 12 (continued)****Report**

The Chief Financial Officer as Council's Responsible Accounting Officer is required to report to Council on a monthly basis on Council's Investment Portfolio and to certify that the Investments are held in accordance with Council's Investment Policy and Section 625 of the Local Government Act.

All Council's investments complied with the Minister for Local Government's Investment Order dated 15 August 2008 and Council's Investment Policy when acquired, however the following investment's credit ratings are now below the Minister's Order:

<b>Investment</b>	<b>Rating</b>	<b>Maturity</b>
• Grange IMP - Quartz CDO	CCC-	20/12/2010
- Merimbula CDO	N/R	20/06/2013
- Torquay CDO	CCC-	20/06/2013
- Scarborough CDO	CCC-	23/06/2014
- Global Bank Note CDO	N/R	20/09/2014
- Glenelg CDO	CCC	22/12/2014
• Alpha CDO *	CCC-	20/03/2012
• Covent Garden CDO *	C	20/09/2012
• Oasis CDO *	CCC-	04/09/2014

(Note \* Council at its meeting of 25 May 2010 wrote down/ impaired the Alpha, Covent Garden and Oasis CDOs to a nominal value and this was funded from the Financial Security Reserve.)

Under the Minister's Order, Council is required to divest itself of these investments as soon as practicable. With the exception of the investments in the Grange IMP, these investments were purchased with the intention of holding them to maturity.

Council Officers have been looking for opportunities to sell certain capital protected and structured investments where prices are competitive and advantageous to Council.

Whilst these opportunities have been limited, Council has sold its Flinders CDO (due to mature in March 2012) which had been written down to a nominal value, and which was part of the Lehman /Grange IMP. Council sold this investment for \$301k (86% of face value), with the proceeds being received by Council on 18 August 2010.

The sale has increased Council's financial position by approximately 300K (as the investment had previously been written down to a nominal value) as well as reducing Council's exposure to these "at risk" investments.

**ITEM 12 (continued)****Investment Performance Commentary**

Council's performance against the benchmark for returns of its investment portfolio for the month of August 2010 and the financial year to date are as follows:

	<b>Aug 2010</b>	<b>12 Month</b>	<b>FY2011</b>
<b>Council Return</b>	6.16	5.54	6.20
<b>Benchmark</b>	4.89	4.21	4.99
<b>Variance</b>	1.27	1.33	1.21

Council's year to date return has outperformed the benchmark and at 6.20% in August is 1.21% above benchmark.

There have been no new notified credit events or movements in ratings of these investments or any other investments within Council's investment portfolio since the last Investment Report, which was submitted to Council on 24 August 2010.

Council's investment portfolio as at 31 August 2010 was as follows:

	<b>Aug 2010</b>	
Cash/Term Deposits	\$55.3M	68.6%
Floating Rate Notes	\$2.0M	2.5%
CDOs	\$2.0M	2.5%
Managed Funds	\$0.8M	0.9%
Other Financial Products	\$5.5M	6.8%
Total Cash Investments	\$65.6M	
Property	\$15.1M	18.7%
Total Investment Portfolio	\$80.7M	

Council continues to utilise the Federal Government's guarantee investing in Term Deposits with a range of Approved Deposit Taking Institutions (ADIs) on a short term 30-90 day basis and some longer dated investments (generally up to 6 months maturity) where more competitive rates are available. The Federal Government's guarantee expires in October 2011.

Council officers manage Council's investment portfolio in conjunction with receiving investment advice from Council's Investment Adviser, Oakvale Capital Limited.

**Financial Security Reserve (FSR)**

The Financial Security Reserve currently has a balance of \$440K as at 31 August 2010 which includes \$50K of interest from these at risk investments and \$301K from proceeds from the sale of the Flinders CDO.

**Economic Commentary**

The Reserve Bank of Australia at its monthly meeting in September 2010 maintained the official cash rate at 4.50% for the 4th month in a row. The unemployment rate dropped to a 19-month low of 5.1% in August. Of note is the fact that full-time employment jumped by 53,100 while part-time dropped 22,100.

**ITEM 12 (continued)**

The labour force data highlights the solid pace of domestic activity thus far in 2010. There have been 350,000 jobs created in the past year, with the annual pace of employment growth now running at 3.2%yoy in August, up from 2.7%yoy in July

The RBA will be watching closely to see when this strong employment trend puts upward pressure on wages and inflation. Expectations are still for a rate increase in the new year but November is still a very real possibility.

In the United States, the US Federal Reserve left the benchmark interest rate at 0-0.25%, and provided a summary of economic conditions that pointed to “widespread signs of deceleration” of economic activity in the period of late July through to the end of August. Five of the twelve reporting districts noted mixed outcomes or a deceleration in activity, with housing in particular remaining weak.

**Legal Issues**

As previously reported to Council, Piper Alderman have been engaged to provide advice on legal options available to Council in relation to its investments. Council’s General Counsel provided an update to the Committee of the Whole on 20 July 2010, and will provide further updates to Council as developments occur.

**Council’s Property Investment Portfolio**

The following properties were held as part of Council’s Property Investment portfolio:

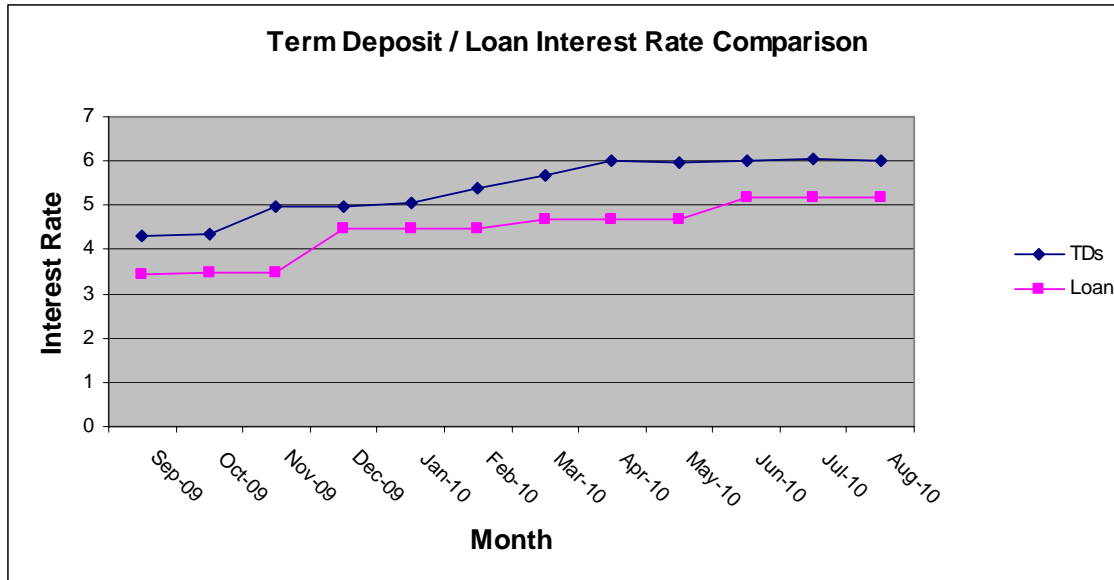
2 Dickson Avenue, West Ryde  
1a Station St, West Ryde  
8 Chatham Road, West Ryde  
202 Rowe St, Eastwood (commercial)  
226 Victoria Rd, Gladesville (commercial)  
West Ryde Car Park Site  
Herring Road Air Space Rights

**Loan Liability**

Council’s loan liability as at 31 August 2010 was \$4.7 million which represents the balance of one (1) loan taken out in 2004 for the Civic Centre Redevelopment and refinancing the West Ryde Tunnel. This loan was for 15 years and was negotiated at a very attractive rate for Council at BBSW + 20 basis points and is reset every 90 days.

**ITEM 12 (continued)**

The following graph shows the average interest rate earned on Council term deposits compared to the interest rate applying to this loan.

**Comparative Financial Data****Council Loan Current interest rate**

Current interest rate 5.17%

**Term Deposit**

Current average interest rate 6.02%

**Debt Service Ratio**

Category 3 Councils 2007/08 3.13%

City of Ryde 2009/10 0.90%

Due to the favourable terms negotiated with this loan, and the current economic climate, Council is earning a higher rate of return in investing these funds than it is paying as loan interest – i.e. it produces a positive cash inflow to Council.

On this basis, there is no advantage to Council in changing these arrangements or repaying this loan earlier than planned.

**Types of Investments:**

**At Call** refers to funds held at a financial institution, and can be recalled by Council either same day or on an overnight basis.

A **Floating Rate Note (FRN)** is a longer term investment issued by a financial institution with a variable interest rate. The adjustments to the interest rate are usually made quarterly, and are tied to a certain money market index such as the Bank Bill Swap Rate.

**ITEM 12 (continued)**

A **Floating Rate CDO** or **Collateralised Debt Obligation (CDO)** is an investment backed by a diversified pool of one or more classes of debt. These investments are for longer terms and offer a higher rate of interest. Credit ratings are assigned to these investments as detailed in the portfolio.

**Credit Rating Information**

Credit ratings are generally a statement as to an institution's credit quality. Ratings ranging from AAA to BBB- (long term) are considered investment grade.

A general guide as to the meaning of each credit rating is as follows:

- AAA: the best quality companies, reliable and stable
- AA: quality companies, a bit higher risk than AAA
- A: economic situation can affect finance
- BBB: medium class companies, which are satisfactory at the moment
- BB: more prone to changes in the economy
- B: financial situation varies noticeably
- CCC: currently vulnerable and dependent on favourable economic conditions to meet its commitments
- CC: highly vulnerable, very speculative bonds
- C: highly vulnerable, perhaps in bankruptcy or in arrears but still continuing to pay out on obligations
- D: has defaulted on obligations and it is believed that it will generally default on most or all obligations



**ITEM 12 (continued)**

INVESTMENT SUMMARY AS AT 31 AUGUST 2010

Issuer	Investment Name	Investment Rating	Invested at 31-Aug-10 \$000's	Annualised Period Return (%)	12 Month Average Return on Current Investments (%)	Return since 01 July 2010	% of Total Invested	Indicative Market Value ** \$000's	% Market Value
CBA	1. Shield Series 21	AA	500	4.46	4.07	5.04	0.76	601	120.16%
Select Access Investments (no 2) Ltd	2. Titanium AAA	A+	2,000	5.83	5.10	5.83	3.05	1,987	99.34%
Alpha Financial Products	3. Alpha	CCC-	0	1.05	1.16	1.05	0.00	0	0.00%
Helix Capital	4. OASIS	CCC-	0	6.38	5.63	6.38	0.00	0	0.00%
Westpac	5. FOCUS Note	AA	500	0.00	0.00	0.00	0.76	468	93.65%
Westpac	6. Camelotfund	AA	500	0.00	0.00	0.00	0.76	473	94.51%
Grange	7. Grange IMP	Unrated	750	19.95	6.53	20.25	1.14	750	100.00%
AB Svensk Exportkredit	8. Global Protected Property Note VII	AA+	1,000	0.00	0.00	0.00	1.53	924	92.40%
Longreach	9. Longreach CPWF	AAA	2,000	2.01	1.99	1.91	3.05	1,924	96.18%
Obelisk Trust 2007-3	10. Covent Garden	C	0	1.06	2.37	1.06	0.00	0	0.00%
ANZ	11. ANZ 3 YEAR SENIOR	AA	1,000	5.34	5.34	5.34	1.53	1,000	100.00%
Credit Suisse First	12. Trident	A+	1,000	40.95	21.36	42.50	1.53	1,088	108.79%
Westpac	13. Westpac At Call	AA	5,338	4.71	4.18	4.71	8.14	5,338	100.00%
CBA	14. CBA TCD 5 Yr (Floating)	AAA	1,000	6.20	5.38	6.20	1.53	1,030	102.99%
CBA	15. CBA TCD 5 Yr (Fixed)	AAA	995	6.02	6.03	6.02	1.52	1,019	102.40%
BoQ	16. Bank of Queensland TD	AAA	1,000	6.29	4.72	6.29	1.53	1,000	100.00%
ANZ	17. ANZ TD	AA	1,000	5.97	4.51	5.00	1.53	1,000	100.00%
ANZ	18. ANZ Term Deposit	AA	1,000	5.84	4.15	5.84	1.53	1,000	100.00%
NAB	19. NAB Term Deposit	AA	1,000	6.17	4.77	6.17	1.53	1,000	100.00%
Police & Nurses Credit Union	20. Police & Nurses Credit Union	AAA	1,000	5.93	6.15	6.06	1.53	1,000	100.00%
NSW Teachers CU	21. NSW Teachers CU TD	AAA	1,000	5.97	6.00	5.97	1.53	1,000	100.00%
Bankwest	22. Bankwest TD	AA	1,000	5.73	5.39	5.73	1.53	1,000	100.00%
DefCredit	23. Defence Credit Union TD	AAA	1,000	6.08	6.31	6.22	1.53	1,000	100.00%
Railways CU	24. Railways CU TD	AAA	1,000	5.70	6.03	5.91	1.53	1,000	100.00%
New England Credit Union	25. New England CU TD	AAA	1,000	6.07	6.04	6.07	1.53	1,000	100.00%
Old Police CU	26. Old Police CU TD	AAA	1,000	6.14	6.04	6.13	1.53	1,000	100.00%
Old Country CU	27. Old Country Credit Union	AAA	1,000	6.19	6.06	6.19	1.53	1,000	100.00%
Community CPS	28. Community CPS TD	AAA	1,000	6.25	6.19	6.25	1.53	1,000	100.00%
Hunter United Credit Union	29. Hunter United Credit Union TD	AAA	1,000	6.03	5.99	6.03	1.53	1,000	100.00%
CUA	30. Credit Union Australia TD	AAA	1,000	6.24	6.09	6.24	1.53	1,000	100.00%
Coastline CU	31. Coastline Credit Union TD	AAA	1,000	6.30	6.29	6.30	1.53	1,000	100.00%
Savings & Loans CU	32. Savings & Loans CU	AAA	1,000	6.08	6.26	6.19	1.53	1,000	100.00%
Bank of Cyprus (Aust)	33. Bank of Cyprus (Aust) TD	AAA	1,000	7.12	7.12	7.12	1.53	1,000	100.00%
Australian Defence Credit Union	34. Australian Defence CU TD	AAA	1,000	5.87	5.91	5.87	1.53	1,000	100.00%
Rural Bank	35. Rural Bank	AAA	1,000	6.45	6.45	6.45	1.53	1,000	100.00%
Qantas Staff CU	36. Qantas Staff CU TD	AAA	1,000	5.94	6.12	6.05	1.53	1,000	100.00%
Southern Cross CU	37. Southern Cross CU TD	AAA	1,000	5.98	5.94	5.98	1.53	1,000	100.00%
SGE CU	38. SGE Credit Union TD	AAA	1,000	5.98	5.80	5.98	1.53	1,000	100.00%
B&E Ltd	39. B & E Building Soc TD	AAA	1,000	5.98	5.94	5.98	1.53	1,000	100.00%
Victoria Teachers CU	40. Victoria Teachers CU	AAA	1,000	6.45	6.45	6.45	1.53	1,000	100.00%
CBA	41. CBA TD	AAA	1,000	6.04	6.04	6.04	1.53	1,000	100.00%
Me Bank	42. ME Bank TD	AAA	1,000	6.26	6.11	6.17	1.53	1,000	100.00%
IMB	43. IMB TD	AAA	1,000	6.19	6.19	6.19	1.53	1,000	100.00%
Bankwest	44. Bankwest TD	AAA	1,000	6.30	5.22	6.30	1.53	1,000	100.00%
Sutherland CU	45. Sutherland CU TD	AAA	1,000	6.40	6.40	6.40	1.53	1,000	100.00%
Summerland CU	46. Summerland CU TD	AAA	1,000	6.30	6.30	6.30	1.53	1,000	100.00%
Wide Bay CU	47. Wide Bay CU TD	AAA	1,000	6.30	6.30	6.30	1.53	1,000	100.00%
Manly Warringah CU	48. Manly Warringah CU TD	AAA	1,000	6.14	6.19	6.14	1.53	1,000	100.00%
Queenslanders CU	49. Queenslanders CU TD	AAA	1,000	6.56	6.56	6.56	1.53	1,000	100.00%
HBS	50. Heritage Bldg Soc TD	AAA	1,000	6.24	6.24	6.24	1.53	1,000	100.00%
Warwick CU	51. Warwick CU TD	AAA	1,000	5.70	5.88	5.84	1.53	1,000	100.00%
Arab Bank Australia	52. Arab Bank Australia TD	AAA	1,000	6.25	6.25	6.25	1.53	1,000	100.00%
Maitland Mutual	53. Maitland Mutual Bldg Soc TD	AAA	1,000	5.93	5.90	5.90	1.53	1,000	100.00%
Bankwest	54. Bankwest TD	AA	1,000	5.93	4.85	5.99	1.53	1,000	100.00%
AMP	55. AMP eASYSaver	AAA	980	5.50	5.55	5.50	1.49	980	100.00%
South West CU	56. South West CU TD	AAA	1,000	5.96	6.32	6.23	1.53	1,000	100.00%
Big Sky CU	57. Big Sky CU TD	AAA	1,000	6.12	6.12	6.12	1.53	1,000	100.00%
Gateway CU	58. Gateway CU TD	AAA	1,000	6.40	6.40	6.40	1.53	1,000	100.00%
Rabobank	59. Rabobank TD	AAA	500	6.00	6.00	6.00	0.76	500	100.00%
Rabobank	60. Rabobank TD	AAA	500	6.00	6.00	6.00	0.76	500	100.00%
Suncorp-Metway	61. Suncorp-Metway TD	AAA	1,000	6.40	6.40	6.40	1.53	1,000	100.00%
Bankwest	62. Bankwest TD	AA	1,000	6.35	5.17	6.35	1.53	1,000	100.00%
Newcastle Perm Bldg Soc	63. Newcastle Perm Bldg Soc	AAA	1,000	6.07	6.07	6.07	1.53	1,000	100.00%
Queensland Teachers CU	64. Queensland Teachers CU	AAA	1,000	5.80	5.80	5.80	1.53	1,000	100.00%
ING	65. ING TD	AAA	1,000	6.46	6.46	6.46	1.53	1,000	100.00%
<b>TOTALS/WEIGHTED AVERAGES</b>			<b>65,563</b>	<b>6.17</b>	<b>5.57</b>	<b>6.21</b>	<b>100</b>	<b>65,581</b>	

\*Monthly returns when annualised can appear to exaggerate performance

\*\*Market valuations are indicative prices only, and do not necessarily reflect the price at which a transaction could be entered into.

**ITEM 12 (continued)****Certificate of the Chief Finance Officer**

	Annualised Period Return (%)	12 Month Average Return on Current Investments (%)	Return since 01 July 2010
<b>Return including Matured/Traded Investments Weighted Average Return</b>	6.16	5.54	6.20
<b>Benchmark Return: UBSA 1 Year Bank Bill Index (%)</b>	<b>4.89</b>	<b>4.21</b>	<b>4.99</b>
<b>Variance From Benchmark (%)</b>	<b>1.27</b>	<b>1.33</b>	<b>1.21</b>

**Investment Income**

	<b>\$000's</b>
This Period	629
Financial Year To Date	945
Budget Profile	500
Variance from Budget - \$	<b>445</b>

I certify that as at the date of this report, the investments listed have been made and are held in compliance with Council's Investment Policy and applicable legislation, with the exception of the following investments:

Grange IMP - Quartz CDO	CCC-
- Merimbula CDO	NR
- Glenelg CDO	CCC
- Scarborough CDO	CCC-
- Torquay CDO	CCC-
- Global Bank Note CDO	NR
Oasis CDO	CCC-
ALPHA CDO	CCC-
Covent Garden	C



15/09/2010

Richard Nankivell

Date

**Council's Investment Powers**

Council's investment powers are regulated by Section 625 of the Local Government Act, which states:

- (1) A council may invest money that is not, for the time being, required by the council for any other purpose.
- (2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.
- (3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.
- (4) The acquisition, in accordance with section 358, of a controlling interest in a corporation or an entity within the meaning of that section is not an investment for the purposes of this section.

**ITEM 12 (continued)**

Council's investment policy requires that all investments are to be made in accordance with:

- Local Government Act 1993 - Section 625
- Local Government Act 1993 - Order (of the Minister) dated 31 July 2008
- The Trustee Amendment (Discretionary Investments) Act 1997 – Sections 14A(2), 14C(1) & (2)
- Local Government (Financial Management) Regulation 1993
- Investment Guidelines issued by the Department of Local Government

The Department of Local Government has released new guidelines aimed at assisting Councils in developing a comprehensive investment policy.

Council Officers, working with its investment advisor, Oakvale Capital Limited have developed a revised Investment Policy based on the new DLG Investment Guidelines and the revised Investment Policy has been submitted to this meeting of the Council for its consideration.

**Overview of Investments**

A brief overview of all investments held by the City of Ryde is provided;

1. **CBA - Shield Capital Protected Series 21 (AAp):** Council invested in the Shield Capital Protected Hedge Fund Note on 24 March 2004. This is a medium to long term investment (3-7 years) and matures on 28 February 2011. The investment is capital guaranteed by CBA on maturity. The note is linked to the performance of a diversified fund of hedge funds, being Colonial First State Wholesale Global Diversified Strategies Fund. The target return at maturity is anticipated to be over 10% pa annualised. This is a volatile investment that has active market exposure. No fees are payable by Council on this investment.
2. **Titanium (Originally AAA now A):** CDO with a portfolio of a minimum of 100 investment grade names, paying 80 bps over 90 days BBSW. This investment was purchased on 14 June 2005. The investment is for 5.5 years and matures on 14 December 2010. This CDO was downgraded to A with advice being received in late December 2009. No fees are payable by Council on this investment.
3. **FRN Alpha (Originally AA now CCC-):** This is a CDO that pays 250 bps above 180 day BBSW. This investment was purchased on 11 April 2006. The investment is for 6 years and matures on 20 March 2012. The CDO containing 2 separate portfolios, a capital portfolio and an income portfolio. The 2 portfolios are managed to maintain ratings stability. The CDO was previously downgraded to A- on 25 September 2008 and has now been downgraded to BBB watch negative on 31 October 2008, downgraded to B+ on 5 February 2009, to CCC in August 2009, and subsequently to CCC- in March 2010. No fees are payable by Council on this investment. Council impaired this investment to a nominal value at its meeting of 25 May 2010 with such being funded from the Financial Security Reserve.

**ITEM 12 (continued)**

- 4. OASIS (Originally AA now CCC-):** This is a CDO that pays 140 bps above 90 day BBSW. This investment was purchased on 4 September 2006. The investment is for 8 years and matures on 4 September 2014. This is a CDO that is actively managed by Société Générale. The CDO was downgraded to BBB- on 29 September 2008 with advice being received in early April 2009 that this investment has been further downgraded to CCC-. No fees are payable by Council on this investment. Council impaired this investment to a nominal value at its meeting of 25 May 2010 with such being funded from the Financial Security Reserve.
- 5. FOCUS Note (AAp):** This investment was purchased on 20 December 2006. This is a medium to long term investment (3-7 years) and matures on 20 December 2012. The capital of the investment is guaranteed by Westpac on maturity. This investment consists of a dynamically managed portfolio comprising investments in the BT Focus Australian Share Fund, and aims to outperform the S&P/ASX 300 Accumulation Index by 5% over a 3 to 5 year horizon. This note has had an annualised return of 3.62% since inception, with short term returns anticipated to be volatile. This note also pays a biannual contingent coupon of 180 day Bank Bill swap rate (currently approximately 8.00%). Westpac receive a principal protection fee of 0.90 p.a., an upfront structuring and distribution fee of 2.50%. BT Financial Group receives a management fee of 0.60% p.a., and a performance fee of 15%. The performance fee is only paid if the performance of the fund before fees exceeds the S&P/ASX Accumulation index plus the management fee. On 28 October 2008 advice was received that the recent volatility in the global financial markets had triggered the capital protection mechanism in this investment with 100% of the portfolio now invested in a zero coupon bond. Council will not receive any further coupon payments between now and the December 2012 maturity date but will receive the full face value of the investment at maturity.
- 6. Camelotfund (AAp):** This investment was purchased on 1 March 2007. The investment is for 5 years and matures 25 January 2012. This investment is in a fund that provides opportunity to diversify into a foreign exchange strategy with low correlation to other products and asset classes. Short term (i.e. monthly) returns on this note will be volatile. The SPV set up by Westpac receives a distribution fee of 2% of the note value, and the manager receives a management fee of 1% p.a., and a performance fee of 15% above 6M BBSW. Westpac receives a capital protection fee of 1% p.a. times NAV. This investment is capital protected by Westpac.
- 7. Grange (Lehman Brothers) IMP:** This is a portfolio of FRNs, CDOs and Bank issued securities managed by Grange Securities on Council's behalf. Lehman Brothers have cancelled the management agreement, and this portfolio is currently static.

**ITEM 12 (continued)**

The IMP comprises the following investments:

<i>Investment</i>	<i>Maturing</i>	<i>Call Date</i>
Quartz CDO	20/10/2010	20/12/2008
Flinders CDO	20/03/2012	20/03/2009
Torquay CDO *	20/06/2013	20/06/2009
Merimbula CDO	20/06/2013	
Scarborough CDO *	23/06/2014	23/06/2009
Glenelg CDO *	22/12/2014	22/06/2009
AAA (Berry) Global Bank Note CDO	20/09/2014	
HSBC FRN *	22/09/2016	22/09/2011

\* If not called an additional margin paid

8. **Global Protected Property Note VII (AAp+):** This investment was purchased on 13 March 2007. The investment is for 4.5 years and matures on 20 September 2011. It is a capital guaranteed investment which provides Council with a return on maturity based on the performance of three international property funds. It is anticipated that performance at the commencement of this investment will be low, with returns geared heavily towards the end life of the investment. This note was invested in as a result of a swap out of the earlier series VI note, in which Council realised a profit of \$237K capital profit after 9 months. Capital protection fee of 1.1% to Svensk Export Kredit.
9. **Longreach Capital Protected Wholesale Fund (AAAp):** This investment is in property, infrastructure and utilities. This investment was purchased on 16 May 2007. The investment is for 5 years and matures on 16 May 2012. The Fund Manager's expectation is a target range of 8% to 10% pa over the life of the investment. Council receives a minimum coupon of 2% pa. There is a fee of 0.95% pa payable of the capital protection amount, plus a performance fee of 25% if the fund performs at or above UBS Bank Bill Index + 4%.
10. **Covent Garden (Originally AA now C):** This is a managed CDO paying 120 bps over 90 day BBSW. This investment was purchased on 6 July 2007. The investment is for 5 years and matures on 20 September 2012. Advice was received on 11 November 2008 that this investment has been downgraded to CCC and then to C. No fees are payable by Council on this investment. Council impaired this investment to a nominal value at its meeting of 25 May 2010 with such being funded from the Financial Security Reserve.
11. **ANZ 3 Year Senior Debt (AA):** Floating Rate Note issued by the ANZ bank, paying 32 bps over 90 day BBSW. This investment was purchased on 18 September 2007. The investment is for 3 years and matures on 18 September 2010. No fees are payable by Council on this investment.
12. **Trident (Originally AA now Ap+):** This investment was purchased on 30 May 2007. The investment is for 4 years and matures on 30 May 2011. The investment which is capital protected has exposure to a basket of bond funds, with a coupon paid 6 monthly of 50% of the positive performance of the funds, with the other 50% being reinvested.

**ITEM 12 (continued)**

There is a distribution fee charged upfront of 2%, plus a principal protection fee of 0.95% p.a. of the portfolio value, plus a leverage charge of USD 30 day LIBOR +0.50% p.a. on any leverage amount.

- 13. Westpac At Call Account (AA):** This investment is an at call account, paying the short term money market rate. These funds are used for operational purposes.
- 14. CBA TCD 5 Yr (Floating) (AAA):** This is a floating rate note issued at a margin of 120 points above 90 day BBSW, maturing 17 December 2013. Council took up the optional government guarantee on this investment at a fee of 70 basis points.
- 15. CBA TCD 5 Yr (Fixed) (AAA):** This is a fixed rate note issued at 5.75% above 90 day BBSW, maturing 17 December 2013. Council took up the optional government guarantee on this investment at a fee of 70 basis points.
- 16. Bank of Queensland Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.13% (6.29% annualised) and matures on 25 January 2010. No fees are payable by Council on this investment.
- 17. ANZ Term Deposit (AA):** This investment is a 120 day term deposit paying 5.85% (5.97% annualised) and matures on 16 December 2010. No fees are payable by Council on this investment.
- 18. ANZ Term Deposit (AA):** This investment is a 90 day term deposit paying 5.72% (5.84% annualised) and matures on 1 November 2010. No fees are payable by Council on this investment.
- 19. NAB Term Deposit (AAA):** This investment is a 180 day term deposit, paying 6.08% (6.17% annualised) and matures on 25 February 2011. No fees are payable by Council on this investment.
- 20. Police & Nurses Credit Union (AAA):** This investment is a 900 day term deposit, paying 5.80% (5.93% annualised) and matures on 25 February 2011. No fees are payable by Council on this investment.
- 21. NSW Teachers Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit paying 5.88% (5.97% annualised) and matures on 4 November 2010. No fees are payable by Council on this investment.
- 22. Bankwest Term Deposit (AA):** This investment is a 60 day term deposit paying 5.60% (5.73% annualised) and matures on 5 October 2010. No fees are payable by Council on this investment.
- 23. Defcredit Credit Union Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.95% (6.08% annualised) and matures on 1 November 2010. No fees are payable by Council on this investment.



**ITEM 12 (continued)**

- 24. Railways Credit Union Term Deposit (AAA):** This investment is a 31 day term deposit paying 5.56% (5.70% annualised) and matures on 6 September 2010. No fees are payable by Council on this investment.
- 25. New England Credit Union Term Deposit (AAA):** This investment is a 60 day term deposit paying 5.92% (6.05% annualised) and matures on 10 September 2010. No fees are payable by Council on this investment.
- 26. Queensland Police Credit Union Term Deposit (AAA):** This investment is a 183 day term deposit paying 6.05% (6.14% annualised) and matures on 15 February 2011. No fees are payable by Council on this investment.
- 27. Queensland Country Credit Union Term Deposit (AAA):** This investment is a 91 day term deposit paying 6.05% (6.19% annualised) and matures on 14 September 2010. No fees are payable by Council on this investment.
- 28. Community CPS Credit Union Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.25% (6.35% annualised) and matures on 18 October 2010. No fees are payable by Council on this investment.
- 29. Hunter United Employees CU Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.90% (6.03% annualised) and matures on 21 October 2010. No fees are payable by Council on this investment.
- 30. Credit Union Australia Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.15% (6.24% annualised) and matures on 10 January 2010. No fees are payable by Council on this investment.
- 31. Coastline Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.20% (6.30% annualised) and matures on 21 December 2010. No fees are payable by Council on this investment.
- 32. Savings & Loans CU Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.95% (6.08% annualised) and matures on 30 November 2010. No fees are payable by Council on this investment.
- 33. Bank of Cyprus (Aust) Term Deposit (AAA):** This investment is a 19 month term deposit paying 7.00% (7.12% annualised) and matures on 30 September 2011. No fees are payable by Council on this investment.
- 34. Australian Defence Force CU Term Deposit (AAA):** This investment is a 92 day term deposit paying 5.75% (5.87% annualised) and matures on 5 October 2010. No fees are payable by Council on this investment.
- 35. Rural Bank Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.35% (6.45% annualised) and matures on 6 September 2010. No fees are payable by Council on this investment.

**ITEM 12 (continued)**

- 36. Qantas Staff CU Term Deposit (AAA):** This investment is a 63 day term deposit paying 5.80% (5.94% annualised) and matures on 11 October 2010. No fees are payable by Council on this investment.
- 37. Southern Cross CU Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.85% (5.98% annualised) and matures on 15 September 2010. No fees are payable by Council on this investment.
- 38. SGE Credit Union Term Deposit (AAA):** This investment is a 92 day term deposit paying 5.85% (5.98% annualised) and matures on 19 October 2010. No fees are payable by Council on this investment.
- 39. B & E Ltd Building Society Term Deposit (AAA):** This investment is a 91 day term deposit paying 5.85% (5.98% annualised) and matures on 15 September 2010. No fees are payable by Council on this investment.
- 40. Victoria Teachers CU Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.35% (6.45% annualised) and matures on 21 September 2010. No fees are payable by Council on this investment.
- 41. CBA Term Deposit (AAA):** This investment is a 6 month term deposit paying 5.95% (6.04% annualised) and matures on 21 September 2010. No fees are payable by Council on this investment.
- 42. Members Equity Bank Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.16% (6.26% annualised) and matures on 31 January 2011. No fees are payable by Council on this investment.
- 43. IMB Building Society Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.10% (6.19% annualised) and matures on 4 October 2010. No fees are payable by Council on this investment.
- 44. Bankwest Term Deposit (AAA):** This investment is a 182 day term deposit paying 6.20% (6.30% annualised) and matures on 10 January 2011. No fees are payable by Council on this investment.
- 45. Sutherland Credit Union Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.30% (6.40% annualised) and matures on 11 October 2010. No fees are payable by Council on this investment.
- 46. Summerland Credit Union Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.20% (6.30% annualised) and matures on 12 October 2010. No fees are payable by Council on this investment.
- 47. Wide Bay Credit Union Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.20% (6.30% annualised) and matures on 12 October 2010. No fees are payable by Council on this investment.

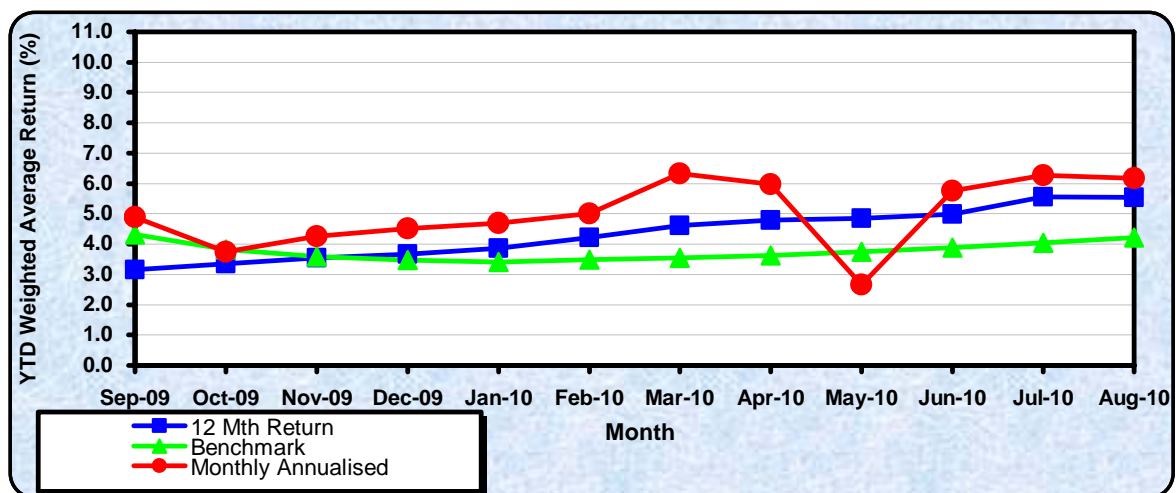


**ITEM 12 (continued)**

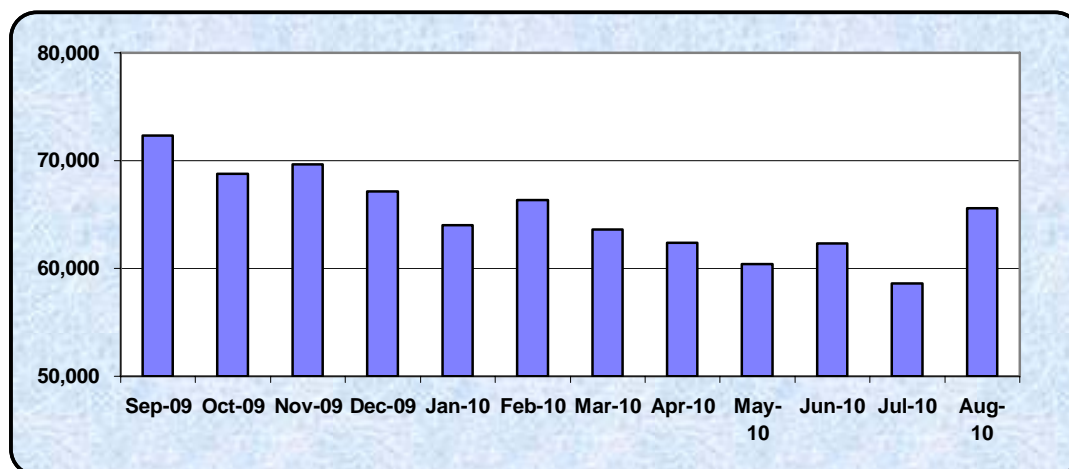
- 48. Manly Warringah Credit Union Term Deposit (AAA):** This investment is a 92 day term deposit paying 6.00% (6.14% annualised) and matures on 19 October 2010. No fees are payable by Council on this investment.
- 49. Queenslanders Credit Union Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.45% (6.56% annualised) and matures on 20 October 2010. No fees are payable by Council on this investment.
- 50. Heritage Building Society Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.15% (6.24% annualised) and matures on 29 October 2010. No fees are payable by Council on this investment.
- 51. Warwick Credit Union Term Deposit (AAA):** This investment is a 30 day term deposit paying 5.56% (5.70% annualised) and matures on 17 September 2010. No fees are payable by Council on this investment.
- 52. Arab Bank (Australia) Term Deposit (AAA):** This investment is a 6 month term deposit paying 6.15% (6.25% annualised) and matures on 27 October 2010. No fees are payable by Council on this investment.
- 53. Maitland Mutual Building Society Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.80% (5.93% annualised) and matures on 1 November 2010. No fees are payable by Council on this investment.
- 54. Bankwest Term Deposit (AA):** This investment is a 90 day term deposit paying 5.80% (5.93% annualised) and matures on 16 November 2010. No fees are payable by Council on this investment.
- 55. AMP eASYSaver at call account (AAA):** This investment is an at-call account earning 5.50%. No fees are payable by Council on this investment.
- 56. South West Credit Union Term Deposit (AAA):** This investment is a 92 day term deposit paying 5.83% (5.96% annualised) and matures on 24 November 2010. No fees are payable by Council on this investment.
- 57. Big Sky Credit Union Term Deposit (AAA):** This investment is a 90 day term deposit paying 5.98% (6.12% annualised) and matures on 9 September 2010. No fees are payable by Council on this investment.
- 58. Gateway Credit Union Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.30% (6.40% annualised) and matures on 14 December 2010. No fees are payable by Council on this investment.
- 59. Rabobank Term Deposit (AAA):** This investment is a 187 day term deposit paying 5.91% (6.00% annualised) and matures on 22 December 2010. No fees are payable by Council on this investment.

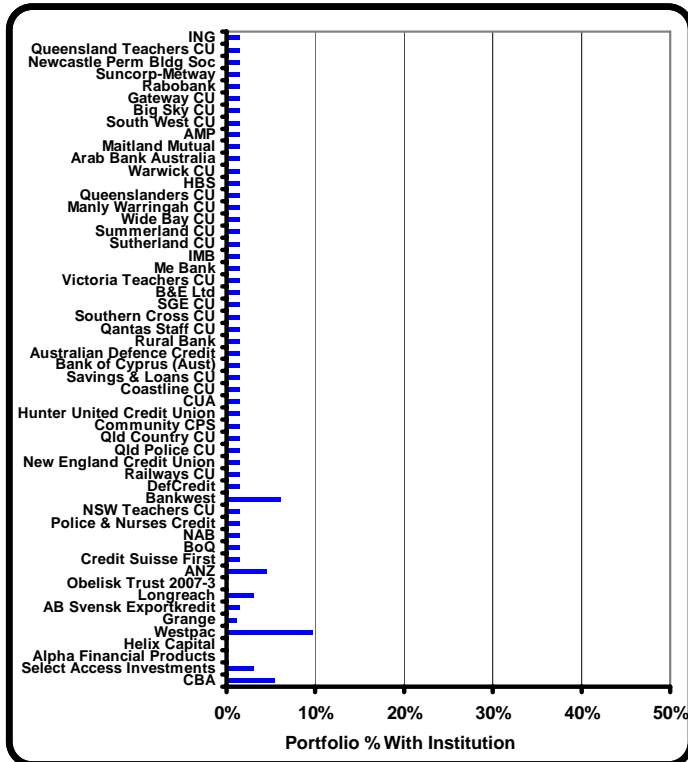
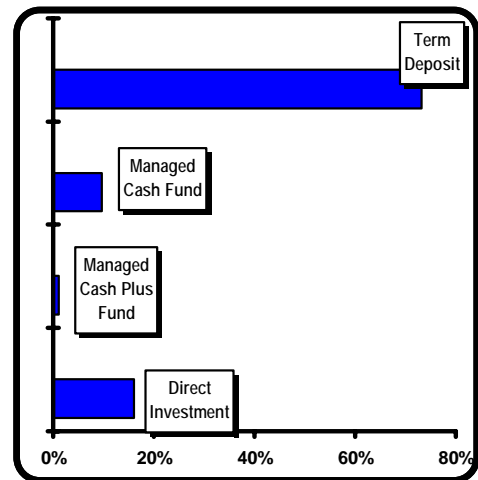
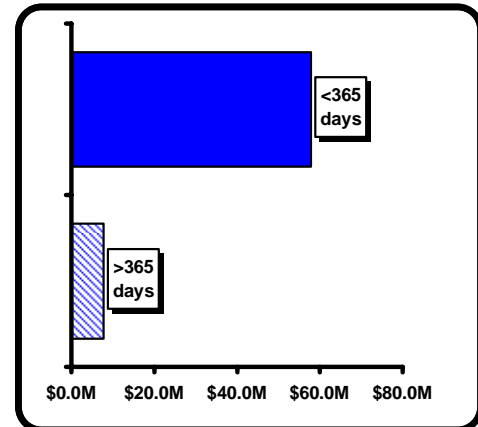
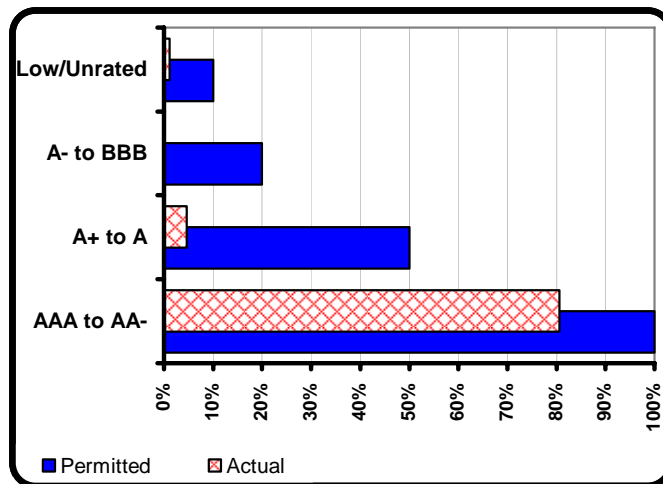
**ITEM 12 (continued)**

- 60. Rabobank Term Deposit (AAA):** This investment is a 180 day term deposit paying 5.91% (6.00% annualised) and matures on 15 December 2010. No fees are payable by Council on this investment.
- 61. Suncorp-Metway Term Deposit (AAA):** This investment is a 180 day term deposit paying 6.30% (6.40% annualised) and matures on 24 Jan 2011. No fees are payable by Council on this investment.
- 62. Bankwest Term Deposit (AA):** This investment is a 180 day term deposit paying 6.25% (6.35% annualised) and matures on 27 Jan 2011. No fees are payable by Council on this investment.
- 63. Newcastle Permanent Building Society (AAA):** This investment is a 90 day term deposit paying 5.94% (6.07% annualised) and matures on 27 Jan 2011. No fees are payable by Council on this investment.
- 64. Queensland Teachers CU (AAA):** This investment is a 31 day term deposit paying 5.75% (5.89% annualised) and matures on 13 Sep 2010. No fees are payable by Council on this investment.
- 65. ING Term Deposit (AAA):** This investment is a 181 day term deposit paying 6.36% (6.46% annualised) and matures on 17 Feb 2010. No fees are payable by Council on this investment.

**Investment Performance - All Investments**

## ITEM 12 (continued)

**Total Funds Invested**

**ITEM 12 (continued)****Active Investment Summary By Institution****Summary By Investment Type****Summary By Duration****Active Investment Summary By Credit Rating**

	>365 days	<365 days
FRN's	\$1.0M	\$1.0M
CDO's	\$0.0M	\$2.0M
Other	\$4.0M	\$1.5M
Mgd Funds	\$0.8M	\$0.0M
Cash/TDs	\$2.0M	\$53.3M
	<b>\$7.7M</b>	<b>\$57.8M</b>

**Consultation**

Council business units consulted included:-

- Finance Unit

Internal Workshops held:-

- Nil

External public consultation included:-

- Nil

**ITEM 12 (continued)**

Council officers have regular discussions and meetings with Investment Issuers and Council's Investment Advisor Oakvale Capital Limited to monitor the impact of market conditions on the performance of Council's investments and the economic outlook.

**Critical Dates**

The Chief Financial Officer as Council's Responsible Accounting Officer is required to report to Council on a monthly basis on Council's Investment Portfolio and to certify that the Investments are held in accordance with Council's Investment Policy and Section 625 of the Local Government Act.

**Financial Impact**

Income from interest on investments totals \$945K, being \$445K above budget projections as per the 2010-2014 Management Plan which has improved Council's financial position.

Of this amount \$301K relates to the sale of the Lehmans/ Grange IMP - Flinders CDO with these proceeds being held in Council's Financial Security Reserve. The Financial Security Reserve currently has a balance of \$440K.

Council is projecting an income from interest on investments of \$2.4m for the 2010/11 year, which will be reviewed in each Quarterly Review of the Budget/Management Plan.

**Policy Implications**

There are no policy implications through the adoption of the recommendation.

The recommendation is consistent with Section 625 of the Local Government Act, which deals with the investment of surplus funds by Council's.

**Other Options**

Not applicable

**Conclusion**

Council's year to date return to August 2010 is 6.20%, which is 1.21% above the benchmark.

Council has improved its financial position by \$301K through the proposed sale of the Flinders CDO and in doing so has also reduced its exposure and level of risk in its investment portfolio.

Council continues to invest under the Federal Government's guarantee in Term Deposits with a range of Approved Deposit Taking Institutions (ADIs) for periods ranging from 30 days up to 6 months, to take advantage of the competitive rates that are available.

**13 2010/2011 CHRISTMAS NEW YEAR ARRANGEMENTS - Business Operations**

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**Report prepared by:** Manager Workplace Culture and Development**Report dated:** 9/09/2010**File No.:** GRP/10/3/001/6 - BP10/543

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**Report Summary**

This report seeks Council's endorsement of the proposed business operations during the 2010/2011 Christmas/New Year Period, with this report recommending that Council's operations close from noon on Friday 24 December and recommence on Tuesday 4 January 2011.

**RECOMMENDATION:**

- (a) That the changes to normal City of Ryde business operations over the 2010/2011 Christmas/New Year period, as outlined in the report be endorsed.
- (b) That the changes to normal business operations referred to in (b) above, be advertised in the Mayor's Column, the Ryde City View, on Council's website and by way of notice at the front of the Civic Centre, Council's branch libraries and the Ryde Aquatic Leisure Centre.
- (c) That Council endorse the staff Christmas Party being held at a venue to be advised on Friday 24 December 2010.

**ATTACHMENTS**

There are no attachments for this report.

Report Prepared By:

**Beki Boulet**

**Manager Workplace Culture and Development**

Report Approved By:

**Roy Newsome**

**Group Manager - Corporate Services**

**ITEM 13 (continued)****Background**

In recent years, normal City of Ryde business operations, except Ryde Aquatic Leisure Centre (RALC) have ceased over the Christmas/New Year period. A skeleton staff has remained on duty supported by staff on-call to continue essential services and to respond to urgent customer requests. This report seeks Council's endorsement for the proposed arrangements for Council's operations to close from 12 noon on Friday 24 December 2010 and recommence on Tuesday 4 January 2011.

The Library service and the RALC will have modified hours during this period.

**Report**

For the upcoming Christmas/New Year period it is proposed that business operations cease at 12 noon on Friday 24 December 2010 and recommence on Tuesday 4 January 2011.

During the shutdown period, the following service functions will remain operational with on-duty staff.

- Cleansing operations
  - Shopping Centres – streets, footpaths and bin collections
  - Parks – bin collections
  - Public Toilets
- Minor Public Works
- General Parks Maintenance and mowing of Regional Parks
- Rangers – normal patrols
- Hall Hire – pre bookings
- Top Ryder Bus Service will operate as normal excluding Christmas Day Saturday 25 December, Boxing Day Monday 27 December and New Years Day, Saturday 1 January 2011

The proposed RALC operation hours for this period are as follows:

Thursday	Dec 23	5.30am – 8.45pm (end of normal operating hours)
Friday	Dec 24	5.30am – 12 noon
Saturday	Dec 25	CLOSED (CHRISTMAS DAY)
Sunday	Dec 26	10.00am – 5.45pm (Boxing Day Holiday)
Monday	Dec 27	8.00am – 5.45pm (Boxing Day Holiday)
Tuesday	Dec 28	8.00am – 5.45pm (Christmas Day Holiday)
Wednesday	Dec 29	8.00am – 5.45pm
Thursday	Dec 30	8.00am – 5.45pm
Friday	Dec 31	8.00am – 5.45pm
Saturday	Jan 01	10.00am – 5.45pm (New Year's Day Holiday)
Sunday	Jan 02	8.00am – 5.45pm
Monday	Jan 03	8.00am – 5.45pm (New Year's day Holiday)
Tuesday	Jan 04	5.30am – 8.45pm (recommencement of normal operating hours)

The RALC returns to normal hours of operation on Tuesday 04 January 2011.

**ITEM 13 (continued)**

The proposed Library operations are as follows:

Monday, 20 December 2010 – Thursday, 23 December 2010	Normal hours
Friday, 24 December 2010	All libraries closed from 12 noon
Friday, 24 December 2010 (after 12.00 noon) – Monday, 3 January 2011	All libraries closed
Tuesday, 4 January 2011	Normal hours

The Library returns to regular hours of operation from Tuesday 04 January 2011.

The Operations Centre will be closed from 12 noon on Friday 24 December 2010 through to Monday 3 January 2011, returning to regular hours of operation on Tuesday 4 January 2011.

A roster of on-call staff will be prepared for all other service units and these staff will be available to respond to urgent matters if required. This would include other functions such as IT systems support and DA notifications. All details of on-call staff will be provided to Councillors and the Executive Team prior to the Christmas/New Year shutdown.

The normal after-hours call centre arrangements will apply during this period, whereby any customers calling Council's main phone number will speak to an operator who will then allocate the enquiry to the relevant officer for action.

The proposed changes to normal business operations for the Christmas/New Year period are proposed to be advertised in the Mayor's Column, the Ryde City View, on Council's website and by way of notice at the front of the Civic Centre, Council's branch libraries and the Ryde Aquatic Leisure Centre.

It is proposed the staff Christmas Party will be held from 12noon on Friday 24 December 2010 (venue to be confirmed). Consistent with previous years, Council will provide a meal for staff (no alcohol), with the costs of this function included in Council's 2010/2011 Budget. Staff not attending the Christmas Party will remain on duty until the close of business.

As in previous years, arrangements will be made for the staff Christmas Party to be held off-site and Councillors will be advised of the details once confirmed, with all Councillors welcome to attend.

**Financial Impact**

Adoption of the recommendation outlined in this report will have no financial impact as the funding of staff resources over the Christmas/New Year shutdown is already included into existing operational budgets.



**ITEM 13 (continued)****Policy Implications**

There are no policy implications through adoption of the recommendation.

**Other Options**

Levels of services could be increased or decreased during this period. The arrangements proposed, however, will ensure the community is provided with appropriate levels of service throughout this period.

**Conclusion**

This report seeks Council's endorsement for the proposed arrangements for Council's operations to close from noon on Friday 24 December 2010 and recommence on Tuesday 4 January 2010.

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**14 GOVERNANCE POLICIES: Code of Conduct (including Annual Reporting), Protected Disclosures, Gifts and Benefits, Ethical Lobbying and Provision of Expenses and Facilities for Councillors**

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**Report prepared by:** Manager - Governance**Report dated:** 9/08/2010**File No.:** GRP/10/3/001/6 - BP10/462

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**Report Summary**

This report presents the following Governance policies for Council's consideration and adoption:

1. Code of Conduct (revised, including Council's Charter of Respect)
2. Protected Disclosures Internal Reporting System (revised including additional Disclosure Officers)
3. Gifts and Benefits Policy (revised in accordance with Independent Commission Against Corruption (ICAC) guidelines)
4. Ethical Lobbying (new; establishing a Policy requiring all lobbyists to register and make their activities transparent)
5. Provision of Expenses and Facilities for the Mayor and other Councillors Policy (revised; adjusting items relating to the Mayor's office and Councillors' reimbursement of communication expenses and Conference Attending guidelines).

In addition, this report provides details of Code of Conduct complaints received over the past 12 months.

**RECOMMENDATION:**

- (a) That Council adopt the revised Code of Conduct as set out in the attachment to this report.
- (b) That Council adopt the revised Gifts and Benefits Policy as set out in the attachment to this report.
- (c) That Council adopt the revised Protected Disclosures Internal Reporting System Policy as set out in the attachment to this report.
- (d) That Council adopt the revised Policy on the Payment of Expenses and Facilities for the Mayor and Other Councillors as set out in the attachment to this report.
- (e) That Council adopt the Ethical Lobbying Policy as set out in the attachment to this report.
- (f) That Council note the General Manager's report on Code of Conduct complaints received for the period October 2009 to September 2010.

**ITEM 14 (continued)**

**ATTACHMENTS**

The Policies are provided Under Separate Cover

Report Prepared By:

**Shane Sullivan**  
**Manager - Governance**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

**ITEM 14 (continued)**  
**Report**

The Policies discussed in the report are provided **UNDER SEPARATE COVER**. The page numbers reference the numbering within that specific policy.

**1. Code of Conduct**

The current Code of Conduct was adopted by Council on the 25 August 2009 and is the full Model Code of Conduct prepared by the Division of Local Government which sets minimum standards of behaviour.

At its meeting held 22 June 2010, Council resolved as follows

- (b) *That the Draft Code of RESPECT be referred to a Councillor Workshop for further discussion/refinement before being referred back to Council for formal adoption and inclusion in Council's Code of Conduct.*
- (c) *That Council endorse a follow up workshop being scheduled in six (6) months time to monitor the progress and implementation of the Draft Charter and the other agreed actions from the Workshop.*

For varying reasons and despite many efforts it has not been possible to arrange a workshop, however, it is proposed that the Charter of Respect be included in the revised Code of Conduct and that a workshop be conducted in December to review and refine the Charter and monitor the implementation.

The Code of Conduct has been moved into the new Council policy format that will be used for all future Council Policies.

The Code of Conduct attached to this report remains the Model Code as issued by the Division of Local Government. However, in addition to incorporating Council's Charter of Respect into the Code, there are a number of minor additions to the Code proposed following a comparison of other Councils' Codes of Conduct. These suggested amendments assist in clarifying and strengthening Council's Code of Conduct.

A summary of all the changes to the content of the Code of Conduct are set out below:

- 1.1 The Charter of Respect is now included as an enforceable part of the Code of Conduct.
- 1.2 Guidelines regarding how to respond if you are being lobbied about the making of a decision have been included in the Code of Conduct and reference is made to Council's proposed Ethical Lobbying Policy. (*Standards of Conduct – Page 6 – Number 1.10*)

**ITEM 14 (continued)**

- 1.3 New clauses that staff must ensure that their participation in any political activity does not conflict with their role at Council has been incorporated. (*Standards of Conduct – Page 10, Numbers 2.29 and 2.30*)
- 1.4 New clauses regarding sponsorship arrangements and that any arrangement must not limit Council's ability to carry out its functions impartially. (*Standards of Conduct, Page 10, Numbers 2.31 and 2.32*)
- 1.5 New clauses that Councillors and staff not use their position to obtain opportunities for future employment is included in the revised Code of Conduct. (*Standards of Conduct, Page 10, Numbers 2.33 and 2.34*)
- 1.6 New clauses regarding the interaction with former Councillors and Council officials and their use of confidential information while a Council official. (*Standards of Conduct, Page 10, Numbers 2.35 and 2.36*)
- 1.7 A notation in Clause 3.4 (page 11) referring to Council's Gifts and Benefits Policy has now been included. (*Standards of Conduct, Page 11, Number 3.4*)
- 1.8 A new clause relating to the making of public comments has been included. (*Standards of Conduct, Page 13, Number 4.9*)
- 1.9 Appropriate references to the Government Information (Public Access) Act have been included. (*Standards of Conduct, Pages 13 and 15 – Access to Information, Clauses 5.1 and 5.11*)

**2. Protected Disclosures – Internal Reporting System Policy**

The Protected Disclosures – Internal Reporting System Policy was adopted by Council on 28 April 2009.

This policy has been moved into the new Council policy format. The Policy provides the framework and procedures relating to Protected Disclosures. It fully complements the Protected Disclosure Act 1994 and aims to encourage and facilitate disclosures in the public interest, of corrupt conduct, maladministration, serious and substantial waste and failure to exercise functions in accordance with the Government Information (Public Access) Act.

The main change to this Policy is the inclusion of eleven (11) new disclosure officers identified in the appendix to the Policy.

**3. Gifts and Benefits Policy**

This Policy was adopted by Council on 1 July 2003. The Policy has been moved to the new format and has been revised in consultation with Council's Manager, Risk and Audit and includes changes recommended by ICAC. The changes to Council's current policy are as follows:

**ITEM 14 (continued)**

- 3.1 The nominal value for gifts has been increased from \$15 to \$25 in accordance with the ICAC recommended amount of between \$25 and \$50. This is set out in the definitions section of the Gifts and Benefits procedure.
- 3.2 The policy clearly states that as a general rule no gift or benefit with a value exceeding \$25 should be accepted.
- 3.3 The policy sets out clear procedures for the disposal of gifts and these procedures are in line with the ICAC provisions and recommendations. These are set out in the section on Disposal of Gifts.

**4. Ethical Lobbying Policy.**

This Policy is a new policy with the aim to promote trust in the integrity of Council processes and to ensure that contact between Lobbyists and Council officials is conducted in accordance with public expectations of transparency, integrity and honesty.

The key components of the Policy are:

- 4.1 The policy provides that lobbyists comply with all relevant legislation and Council guidelines.
- 4.2 The policy requires that lobbyists declare that they are lobbyists and who they represent.
- 4.3 The policy requires that lobbyists register for each matter on which they intend to lobby Council. This register will be placed on Council's website.
- 4.4 The policy states that when a Council official meets with a lobbyist that there be at least one other Council official present and that minutes be taken and filed.

Should Council adopt the Policy, information will be placed on Council's website and in the local papers and City View regarding the policy requesting lobbyists to register.

**5. Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors**

Under Section 252 of the Local Government Act 1993, within 5 months after the end of each year, the Council is required to adopt a policy concerning the Payment of Expenses and the Provision of Facilities to, the Mayor, Deputy Mayor and the other Councillors.

The Policy is required to be reviewed, placed on public exhibition for 28 days, adopted and then submitted to the Director General by 30 November each year.

This Policy was last reviewed by Council on 25 August 2009.

**ITEM 14 (continued)**

This Policy has been moved to the new format. Despite the formatting changes the key amendments proposed to this Policy are as follows:

- 5.1 It is proposed that Council modify its reimbursement process in respect of Councillors claiming their communication costs by removing the statutory declaration provision. This change is being proposed on the basis that accounts for these costs are available and in the interest of transparency, all requests for reimbursement of expenses be supported by receipts and tax invoices. This approach is currently being taken by a number of Councillors. It is proposed by this change that a uniform approach is taken and it also reinforces the original intent of the guidelines provided by the Department of Local Government. Clause 2(1) on page 1 reflects this amendment.

It is proposed that the provision of providing a statutory declaration for other reimbursement claims would remain. It is acknowledged that at times, particularly when in attendance at conferences, that Councillors could easily misplace receipts. Clause 2 (page 2)

- 5.2 It is proposed that any business cards provided will be in accordance with Council's Corporate Identity Guidelines. Clause 23 (page 11)
- 5.3 The policy has been amended to reflect the current vehicle provisions to the Mayor as previously adopted by Council. In addition, the clause has been amended to remove the provision of a driver to the Mayor or the Mayor's spouse. It is felt that cabcharge or reimbursement claims that are available for this purpose support this amendment. Clause 30 (page 13)
- 5.4 Clause 20 relating to communication costs and expenses for the Mayor has been redrafted to include an annual amount that aligns with Council's previous amendment to the provisions for Councillor communication costs and expenses ie: Clause 13 provides up to \$3,600 per annum. (page 10)
- 5.5 At its meeting held 18 May 2010 Council resolved as follows:

*That Council develop guidelines for Councillor attendance at Conferences.*

These guidelines have been developed and are set out in the revised policy on page 20. In addition, the Policy now includes a reference in Clause 7 (7) page 4.

The Guidelines provide that each Councillor can attend one conference in NSW, Canberra, metropolitan Brisbane or metropolitan Melbourne, in addition to Council's determination on the Councillors attending the LGA Conference and the Australian Local Government Association Conference.

Section 253 of the Local Government Act requires that 28 days notice is required to be given of Council's intention to adopt or amend the Policy. However, this notice is not required if the changes are not substantial.

**ITEM 14 (continued)**

Not substantial means minor changes to wording or changes to the monetary provision or rates that are less than 5%. Any new category of expenses, facilities and equipment included require public notice no matter how minor.

The changes recommended in this report are regarded as minor.

As such, the changes are not substantial and it is not necessary for the Policy to be placed on public exhibition. Should Council adopt the Policy, it will be forwarded to the Director General.

**Reporting on Code of Conduct complaints**

Clause 33 of the Procedure – Management of Complaints relating to breaches of the Code of Conduct states that the General Manager must report annually to Council on Code of Conduct complaints.

From the period October 2009 to September 2010 ten (10) formal complaints have been received with the following outcomes:

	Nature of issue	Outcome of complaint
1	Conflict of Interest	Dismissed
2	General Conduct Obligations	Dismissed
3	General Conduct Obligations	Dismissed
4	General Conduct Obligations	Considered by Council. Matter is still at large.
5	General Conduct Obligations	Dismissed
6	General Conduct Obligations	Dismissed
7	General Conduct Obligations	Dismissed
8	General Conduct Obligations	Dismissed
9	General Conduct Obligations	Currently being investigated
10	General Conduct Obligations	Currently being investigated

**Training**

Following the adoption of the Code of Conduct, Protected Disclosures Internal Reporting System Policy, Gifts and Benefits Policy and the Ethical Lobbying Policy, training will be provided for all Councillors and staff.

The aim of this training will be to reinforce current good practices, highlight any changes as a result of the adopted policies and ensure an understanding of the expectations and requirements in relation to the policies.

**Consultation**

Internal Council business units consulted included:-

- The Executive Team and the Manager Risk and Audit were consulted in the review of these governance policies.



**ITEM 14 (continued)**

Internal Workshops held:-

- Feedback received as part of the Councillor Workshop was used to develop the Charter of Respect recommended for inclusion in the Code of Conduct

City of Ryde Advisory Committees consulted included:-

- Not Applicable

External public consultation included:-

- Not applicable

**Critical Dates**

The following deadlines are required to be met:

- Section 252 (1) of the Local Government Act requires that the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy must be adopted by 30 November 2010.
- Section 12.33 of the Code of Conduct states that the General Manager must report annually to Council on Code of Conduct complaints.

**Financial Impact**

There will be costs associated with the provision of training for Councillors and staff regarding these policies, however this training has been provided for in the 2010/11 budget.

**Policy Implications**

Depending on the resolution of Council the following policies will be added/amended:

1. Code of Conduct (revised)
2. Protected Disclosures Internal Reporting System (revised)
3. Gifts and Benefits Policy (revised)
4. Ethical Lobbying,(new); and
5. Provision of Expenses and Facilities for the Mayor and Councillors Policy (revised).

**Other Options**

Council may wish to adopt all the recommended changes to the existing policies, or adopt some or none of the proposed changes.

Council may resolve not to adopt the new Ethical Lobbying Policy or to make amendments to the proposed policy.

**ITEM 14 (continued)****Conclusion**

This report presents to Council proposed changes to the following Council policies:

- Code of Conduct
- Protected Disclosures Internal Reporting System
- Gifts and Benefits Policy
- Provision of Expenses and Facilities for the Mayor and Councillors Policy.

A new policy has been proposed for Ethical Lobbying in the City of Ryde.

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**15 REPORT ON OUTSTANDING RESOLUTIONS**

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**Report prepared by:** Manager - Governance**Report dated:** 21 September 2010**File No.:** GRP/10/3/001/6 - BP10/405

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**REPORT**

This Outstanding Resolutions Report is presented to Council for its consideration, as resolved at Council Meeting of 08 June 2010.

The report has been produced as at 14 September 2010 and is **ATTACHED**.

This Report is formally submitted to Council to review the status of outstanding items and confirm the date reports are due to be reported back to Council. The Report details all outstanding resolutions, the last advice to Councillors of when the matter would be reported back to Council, where applicable the anticipated date for the report to Council and supporting comments on the item.

**RECOMMENDATION:**

That the Outstanding Resolutions report be endorsed.

**ATTACHMENTS**

- 1 Outstanding resolutions report

Report Prepared By:

**Shane Sullivan**  
**Manager - Governance**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

## ITEM 15 (continued)

## ATTACHMENT 1

## Outstanding Resolutions - Report

Meeting Details	Resolution	Due Date of Report	Comments
Works and Community 8/04/2008	<b>BUSHLAND WALKING TRACKS</b>  Report on developing a strategy to manage bushland walking tracks	<b>18/05/2010</b>  <b>Anticipated date</b> 2/11/2010  <b>Group</b> Community Life  <b>Responsible Officer</b> Peter Montague	<i>Data collection being undertaken currently. Update provided to BEACR in February 2009.</i>  <i>Workshop with Councillors June 2009.</i>  <i>A report to be presented to Works &amp; Community on 18 May 2010.</i>  <i>Report being prepared for WC in July 2010.</i>  <i>Report delayed due to Natural Areas Contracts negotiations.</i>  <i>Information being compiled for 2 November 2010 report.</i>
<b>Meeting Details</b> Works and Community 26/05/2009	<b>Resolution</b>  <b>PROVISION OF BUBBLERS IN PUBLIC DOMAIN AREAS AND MAJOR PARKS</b> PF&S 06/09 Item 6 (referred to Council)  (d) That twelve months after the installation of the bubblers outlined in (b) above a further report be provided to Council.	<b>Due Date of Report</b> 26/05/2010  <b>Anticipated date</b> 1/10/2010  <b>Group</b> Public Works  <b>Responsible Officer</b> Ian Andrews	<b>Comments</b>  <i>Report expected October 2010.</i>

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details Council 25/08/2009	Resolution <b>WEST RYDE &amp; GLADESVILLE EVENTS &amp; PROMOTIONS COMMITTEES</b> NoM2  (b) That a further report be prepared that considers having both a town centre specific Events & Promotions Committee and/or a City Wide Events & Promotions Committee.	Due Date of Report 1/11/2009  Anticipated date 5/10/2010  Group Community Life  Responsible Officer Derek McCarthy	Comments  Report being prepared for Council in November 2009  Report being prepared for COW-20 July 2010  Report now being prepared for COW of 17 August 2010.  Report now being prepared for 5 October 2010
Meeting Details Council 13/10/2009	Resolution <b>PLAYING FIELD LIGHTING PROGRAM 2009/2010 - Proposed Projects</b> GM 17/09 Item 11  (d) That a further report be submitted to Council on Pidding Park, proposed sports lighting once the NSW grant funding is determined.	Due Date of Report 1/05/2010  Anticipated date 1/08/2010  Group Public Works  Responsible Officer Ian Andrews	Comments  Council was unsuccessful in its application for Community Building Partnership Grant. Council has applied for a NSW Sports & Recreation Facility Grant, which it is anticipated will be determined by August 2010 - Report to the Committee of the Whole to follow.  Report expected October 2010 - further consultation / negotiation required with user groups to finalise funding share. (Updated 03/09/10).

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## ITEM 15 (continued)

## ATTACHMENT 1

<b>Meeting Details</b> Council 20/10/2009	<b>Resolution</b> <b>PUBLIC- PRIVATE PARTNERSHIP (PPP) - Bevillesta and Council and City of Ryde - Signage Rights, Southern Pedestrian Bridge, North Face.</b> GM 18/09 Item 7 (b) That consideration of this matter be deferred and a further report be presented back to Council providing supplementary information and options for Council's consideration.	<b>Due Date of Report</b> 27/04/2010 <b>Anticipated date</b> 1/09/2010 <b>Group</b> Public Works <b>Responsible Officer</b> Malcolm Hamill	<b>Comments</b> Report expected 27 April 2010. Negotiations have commenced with the Developer concerning any income which Council could expect from its portion of the Bridge signage. However, the Developer has declined to take the signage package to the market for tender, as the advertising market is generally depressed at the present time, and has decided to await market recovery in order to secure the best price. Report anticipated by October 2010. Bevillesta have yet to advise what the value of their offer is - cannot do so until they have tested the Market (Tender / EOJ). Updated 10 August 2010.
<b>Meeting Details</b> Council 8/12/2009	<b>Resolution</b> <b>NOTICE OF MOTION 5:CEO FORUM - Councillor Salvestro-Martin</b> (a) That the General Manager report to Council on the cost and feasibility of implementing a CEO Forum. The CEO forum event would focus on large companies and is a tangible outcome, consistent with the Economic Development Strategy, where the City of Ryde can show cohesive leadership and representation of the City's economic interests. (b) That this Motion be referred to the Economic Development Advisory Committee for their comment and feedback.	<b>Due Date of Report</b> 9/11/2010 <b>Anticipated date</b> 9/11/2010 <b>Group</b> Environment and Planning <b>Responsible Officer</b> Meryl Bishop	<b>Comments</b> Report delayed in part due to the necessity to recruit a new Economic Development Officer who would have primary carriage of this process. Report to Council Meeting on 9 November 2010.

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details Council 11/05/2010	Resolution <b>745 VICTORIA RD, RYDE</b>  Notice of Motion 3  That the General Manager prepare a report for Council detailing the development options of all Council's investment properties.	Due Date of Report 22/06/2010  Anticipated date 14/09/2010  Group Public Works  Responsible Officer Michael Betts	Comments  Report expected for Council at it's meeting to be held on 20 July 2010. It is intended that this Report will also cover all of Council's investment property portfolio. (Updated 29/6/10).  This subject will be included in a wider Report on Council's Property Strategy from the Manager - Buildings & Property, which is expected in November 2010. (Updated 16/09/10).
Meeting Details Committee of the Whole 18/05/2010	Resolution <b>ENFORCEMENT OF UNAUTHORISED FOOTPATH USE- 2 West Parade, West Ryde</b> <b>RESOLUTION:</b> (Moved by Councillors Peitch and Tagg  (a) That this matter be deferred to allow a further report to be provided regarding a policy to allow such activities on both sides of the railway line at West Ryde and any other similar area in the Ryde local government area.  (b) That Council take no further action in relation to this unauthorised footpath use until the further report as set out in part (a) of this resolution is considered by Council.	Due Date of Report 7/09/2010  Anticipated date 19/10/2010  Group Environment and Planning  Responsible Officer Meryl Bishop	Comments  A review of Council's Footpath Policy underway in consultation with the Building and Property Unit and Regulatory Services Unit. Report to Committee of the Whole Meeting on 19 October 2010.

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details Committee of the Whole 18/05/2010	Resolution <b>NATURAL AREAS - Expression of Interest for Service Providers</b> (e) That a workshop be conducted including Councillors, bushland volunteers and staff to develop suitable criteria for the engagement of contractors and Mr Brown's report be circulated at that workshop.	Due Date of Report 30/07/2010 <b>Anticipated date</b> 5/10/2010 <b>Group</b> Community Life  <b>Responsible Officer</b> Adam Smith	<b>Comments</b>  <i>Open Space Manager organising workshop for July. Mr Brown's letter to be distributed at this workshop. Anticipated date of report 27 August 2010. Workshop re-scheduled.</i>  <i>Workshop scheduled for 21 September 2010. Anticipated date of report following this Workshop.</i>
Meeting Details Committee of the Whole 18/05/2010	Resolution <b>COUNCILLOR ATTENDANCE AT CONFERENCES</b>  <b>RESOLUTION:</b> (Moved by Councillors Peitch and Yedellian OAM)  (b) That Council develop guidelines for Councillor attendance at Conferences.	Due Date of Report 28/09/2010 <b>Anticipated date</b> 28/09/2010 <b>Group</b> Corporate Services  <b>Responsible Officer</b> Shane Sullivan	<b>Comments</b>  <i>Guidelines developed in conjunction with the review of the Councillor Expenses and Facilities Policy for 28 September 2010. Report provided to Council. COMPLETED</i>

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## ITEM 15 (continued)

## ATTACHMENT 1

<b>Meeting Details</b> Council 8/06/2010	<b>Resolution</b> <b>15 DORA STREET, MARSFIELD LDA 2009/0721</b> (a) A workshop to address the legal and planning issues associated with development assessment and determination of boarding houses in the City of Ryde; (b) A second workshop with key stakeholders	<b>Due Date of Report</b> 24/08/2010 <b>Anticipated date</b> 20/10/2010 <b>Group</b> Environment and Planning <b>Responsible Officer</b> Dominic Johnson	<b>Comments</b> Action undertaken in relation to resolution: <b>BOARDING HOUSE - Integrated Enforcement and Education Program</b> a) Following the resolution of Council on 3 August 2010, the workshop to address legal and planning issues has been replaced by a report to Council from an independent town planner / legal advisor and is now considered complete. b) The workshop with Councillors and Macquarie University was held on 24 August 2010. c) A broader workshop involving Councillors, representatives from the community and other key stakeholders is scheduled for 20 October 2010.
<b>Meeting Details</b> Council 22/06/2010	<b>Resolution</b> <b>Notice of Motion - Action by Botany Council against Department of Housing</b> That the General Manager liaise with Botany Council regarding the action Botany Council is taking against the Department of Housing and Report back to Council on any avenues available to the City of Ryde to take a similar action or conjoin Botany Council in this action.	<b>Due Date of Report</b> 28/09/2010 <b>Anticipated date</b> 28/09/2010 <b>Group</b> General Manager <b>Responsible Officer</b> Joe Strati	<b>Comments</b> Letter sent on 29 June 2010. Report provided 28 September 2010. <b>COMPLETED</b>

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 22/06/2010	<b>CHARTER OF RESPECT</b>  (b) That the Draft Code of RESPECT be referred to a Councilor Workshop for further discussion/refinement before being referred back to Council for formal adoption and inclusion in Council's Code of Conduct.  (c) That Council endorse a follow up workshop being scheduled in six (6) months time to monitor the progress and implementation of the Draft Charter and the other agreed actions from the Workshop.  (d) That a further Councilor workshop be scheduled in the near future to discuss the development of Council's Strategic Plan and the methodology on how it will be delivered on the ground that will also include the development of key performance indicators and customer satisfaction surveys.	22/12/2010  Anticipated date 28/09/2010  Group Corporate Services  Responsible Officer Shane Sullivan	<i>Workshop Scheduled for 7 September (Workshop CANCELLED). Report to Council: 28 September 2010 COMPLETED</i>

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## ITEM 15 (continued)

## ATTACHMENT 1

<b>Meeting Details</b> Council 27/07/2010	<b>Resolution</b> <b>REQUESTS FOR EXPRESSIONS OF INTEREST - Management &amp; Operation of Ryde Community Sports Centre (E.L.S Hall Park)</b>  (a) That the matter be deferred until consultation has been undertaken with the E.L.S Hall users and the Sport & Recreation Advisory Committee.	<b>Due Date of Report</b> 21/09/2010 <b>Anticipated date</b> 5/10/2010 <b>Group</b> Community Life <b>Responsible Officer</b> Peter Montague	<b>Comments</b> Report being prepared for 21 September 2010. Referred to Meeting: 5 October 2010
<b>Meeting Details</b> Council 27/07/2010	<b>Resolution</b> <b>Notice of Motion: 63-77 West Parade, West Ryde</b>  That the City of Ryde assess the possibility of undertaking legal proceedings in the Land and Environment Court in relation to the proposed development at 63-77 West Parade at West Ryde as advertised in the Sydney Morning Herald on 21st July 2010. Ryde's case should focus on the reasons given for council's previous rejection of Housing NSW's plans covering this site.	<b>Due Date of Report</b>  <b>Anticipated date</b> 28/09/2010 <b>Group</b> General Manager <b>Responsible Officer</b> Joe Strati	<b>Comments</b> Report provided to Council - 28 September 2010 - COMPLETED

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## ITEM 15 (continued)

## ATTACHMENT 1

<b>Meeting Details</b> Council 27/07/2010	<b>Resolution</b> <b>Notice of Motion: Off-leash areas for dogs</b> <p>That within 6 months of the commencement of the trial off-leash areas for dogs, approved by Council on 20 July 2010, the General Manager submit a report to Council considering:</p> <p>(a) the outcome of the trial; and if satisfactory</p> <p>(b) the possibility of extending off-leash areas to all parks in Ryde other than specific parks which are nominated by exception.</p> <p>(c) That dog owners in the City of Ryde receive educational material that provides information on their responsibilities as a dog owner</p>	<b>Due Date of Report</b> 31/01/2011 <b>Anticipated date</b> 30/04/2011 <b>Group</b> Community Life <b>Responsible Officer</b> Fiona Morrison	<b>Comments</b> <i>Pending commencement of trial off-leash areas. Trial will commence upon receipt of appropriate signage and bins.</i>
<b>Meeting Details</b> Council 27/07/2010	<b>Resolution</b> <b>Notice of Motion: Affordable Housing in Ryde</b> <p>That the General Manager bring back a report to Council, from his Planning department, on the possibility of affordable housing in Ryde.</p>	<b>Due Date of Report</b> 28/09/2010 <b>Anticipated date</b> 19/10/2010 <b>Group</b> Environment and Planning <b>Responsible Officer</b> Meryl Bishop	<b>Comments</b> <i>Report to Committee of the Whole Meeting on 19 October 2010.</i>

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 27/07/2010	<b>ALCOHOL FREE ZONES</b>  (d) That Council receive a further report on the proposed Alcohol Free Zones if any adverse comment is received during the public consultation.	5/10/2010  Anticipated date 5/10/2010  Group Community Life  Responsible Officer Chris Hellmuth	<i>Currently on public exhibition as per the resolution.</i>

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 27/07/2010	<p><b>Notice of Motion 1 Community Fitness Initiatives</b></p> <p>That the General Manager provide a report on the feasibility of establishing a range of community fitness initiatives across the Ryde LGA to encourage and support increased physical activity, and also highlight the clear community benefits of improved physical activity. This initiative could encompass but not be limited to:</p> <ul style="list-style-type: none"> <li>• establishment of a local walking club across the LGA – similar to those established in partnership with the Heart Foundation</li> <li>• highlighting local walks, parks and fitness activities/exercise equipments, cycling tracks</li> <li>• establishing strategic partnerships with fitness providers/businesses and promoting community fitness through media and other means</li> <li>• building upon existing council events to include a fitness component</li> <li>• establishing a specific 10,000 steps walkathon for Ryde</li> <li>• Promote this initiative through the Advisory Committees</li> </ul>	<p>5/10/2010</p> <p>Anticipated date 5/10/2010</p> <p>Group Community Life</p> <p>Responsible Officer Peter Montague</p>	<p>Further report to be provided including castings.</p>

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 3/08/2010	<p><b>TELECOMMUNICATION TOWERS - matter of urgency</b></p> <p>(a) That Council write to Telstra and Urbis informing them that the community has voiced strong objections to the proposed erection of a telecommunications tower at 130 Quarry Ryde due to its close proximity to schools and urging them to consider:</p> <ol style="list-style-type: none"> <li>possible relocation of the tower to a site that is not within such proximity of residential dwelling</li> <li>a further consultation process be undertaken with the community before the proposal is determined, to ensure that their concerns are understood and adequately addressed.</li> <li>that a further report be provided to Council on the details of the proposal in respect of this matter including the details of the results of the community consultation</li> <li>That Council write to all telecommunication providers expressing Council's concerns and detailing medical evidence relating to the effects of these facilities, including electro-magnetic radiation, and requiring details of the proposal to be provided in respect of the proposed Optus telecommunication facilities at Tennis World, 16-18 Epping Road, North Ryde and Energy Australia light pole on Epping Road, North Ryde.</li> <li>That Council write to the Federal Communication Minister expressing concern about the Telecommunications Act and the inadequate community consultation and inappropriate locations of communication towers within Ryde when alternative and more suitable locations have been identified.</li> </ol>	<p>7/09/2010</p> <p>Anticipated date 7/09/2010</p> <p>Group Environment and Planning</p> <p>Responsible Officer Dominic Johnson</p>	<p>a) Letter sent on 4 August 2010</p> <p>b) Matter was reported in CIB on 2 September 2010.</p> <p>c) Letters sent on 16 August 2010 and 25 August 2010</p> <p>d) Letter sent on 20 August 2010</p> <p>All matters now complete</p>

## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 3/08/2010	ITEM 13: DRAFT YAMBLE RESERVE PLAN OF MANAGEMENT - Permission to proceed to Public Exhibition (c) That a report be brought back to Council with the results of the public exhibition, recommending further action	2/11/2010 Anticipated date  2/11/2010 Group Community Life  Responsible Officer Fiona Morrison	<i>Pending public exhibition period.</i>
Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 3/08/2010	ITEM 12: CENTRES AND CORRIDORS STUDY: a component of the Ryde Local Strategy (c) Following targeted consultation a further report be submitted to Council prior to the Centres and Corridors Study being publicly exhibited together with a Draft Local Environmental Plan.	2/11/2010 Anticipated date 2/11/2010 Group Environment and Planning  Responsible Officer Meryl Bishop	<i>Report to Committee of the Whole Meeting on 2 November 2010.</i>

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## ITEM 15 (continued)

## ATTACHMENT 1

<b>Meeting Details</b> Committee of the Whole 3/08/2010	<b>Resolution</b> <b>ITEM 11: HOUSING STUDY</b>  (c) That following targeted consultation, a further report be submitted to Council prior to the Housing Study being publicly exhibited together with Draft Local Environmental Plan 2011.	<b>Due Date of Report</b> 2/11/2010  <b>Anticipated date</b> 2/11/2010  <b>Group</b> Environment and Planning  <b>Responsible Officer</b> Meryl Bishop	<b>Comments</b> <i>Report to Committee of the Whole Meeting on 2 November 2010.</i>
<b>Meeting Details</b> Committee of the Whole 3/08/2010	<b>Resolution</b> <b>ITEM 10: WEST RYDE MASTER PLAN AND LOCAL ENVIRONMENTAL PLAN PROVISIONS</b>  (c) That following targeted consultation, a further report be submitted to Council prior to the draft master plan for West Ryde town centre being publicly exhibited together with Draft Local Environmental Plan 2011.	<b>Due Date of Report</b> 2/11/2010  <b>Anticipated date</b> 2/11/2010  <b>Group</b> Environment and Planning  <b>Responsible Officer</b> Meryl Bishop	<b>Comments</b> <i>Report to Committee of the Whole Meeting on 2 November 2010.</i>

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details Committee of the Whole 3/08/2010	Resolution <b>ITEM 9: ENVIRONMENT AND OPEN SPACE STUDY</b> (c) That following targeted consultation, a further report be submitted to Council prior to the Environment and Open Space Study being publicly exhibited together with Draft Local Environmental Plan 2011.	Due Date of Report 2/11/2010 Anticipated date 2/11/2010 Group Environment and Planning Responsible Officer Meryl Bishop	Comments <i>Report to Committee of the Whole Meeting on 2 November 2010.</i>
Meeting Details Committee of the Whole 3/08/2010	Resolution <b>ITEM 8: SMALL CENTRES MASTER PLAN STUDY REPORT</b> d). That following targeted consultation a further report be submitted to Council, prior to the Small Centres Master Plan Study being publicly exhibited together with the Draft Local Environmental Plan 2011.	Due Date of Report 2/11/2010 Anticipated date 2/11/2010 Group Environment and Planning Responsible Officer Meryl Bishop	Comments <i>Report to Committee of the Whole Meeting on 2 November 2010.</i>

22-Sep-10

9:24 AM

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 10/08/2010	<b>PARKING – Sobraon Road, Marsfield – Councillor Perram</b> That Council discuss with Macquarie University issues associated with parking by construction workers in the Sobraon Road area and explore with the University provision of parking for the University's construction workforce within the University grounds.	<b>Anticipated date</b>  <b>Group</b> Public Works  <b>Responsible Officer</b>	<i>Concerns currently being investigated by Manager - Access. Updated 30/8/10.</i>  <i>This matter is included for discussion at Ryde Traffic Committee (Item 3) on 16 September 2010. The Minutes (Recommendations) from this RTC Meeting will be contained in a Report to Council's W/C Committee on 5 October 2010. (Updated 16/09/10).</i>
Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 17/08/2010	<b>MEDIA POLICY</b> That consideration of this proposed Media Policy be deferred to refocus the policy on Council staff and give clarity to the role of the Mayor and the Mayor's ability to delegate to other Councillors.	<b>Anticipated date</b> 19/10/2010  <b>Group</b> Community Life  <b>Responsible Officer</b> Derek McCarthy	<i>Circulated to Councillors in the CIB. To be reported following receipt of comments</i>

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Works and Community 17/08/2010	<b>BUS SHELTERS - Site Requests and Sourcing</b>  (b) That the matter be referred back to Council for further consideration upon receipt of comments from the Access Committee.	<b>Anticipated date</b>  <b>Group</b> Public Works  <b>Responsible Officer</b>	<i>Following Access Committee Meeting in October, report anticipated November 2010. Updated 30/8/10.</i>
Meeting Details Committee of the Whole 17/08/2010	<b>Resolution</b> <b>REQUEST TO CONTINUE AN ALCOHOL FREE ZONE AT EASTWOOD TOWN CENTRE DURING THE GRANNY SMITH FESTIVAL FOR A PERIOD OF THREE YEARS</b>  (c) That a further report be prepared for Council's consideration if adverse public comment is received on the proposal.	<b>Due Date of Report</b>  <b>Anticipated date</b>  <b>Group</b> Community Life  <b>Responsible Officer</b> Derek McCarthy	<b>Comments</b> <i>Report will be provided only if there is negative public comment received.</i>

22-Sep-10

9:24 AM

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 24/08/2010	<b>DEEBLE STREET - Landscaping Works</b>  a) That this matter be deferred to allow for negotiations between Council and the owner of 70A Champion Road with the view to leasing the road area, and that following these negotiations a further report be prepared for the Works & Community Committee's consideration.	Anticipated date  Group Public Works  Responsible Officer	<i>Report anticipated November 2010 following negotiations. Updated 30/8/10.</i>
Meeting Details Council 24/08/2010	<b>PEDESTRIAN CROSSING</b>  a) That Council staff liaise with Replas Pty Ltd to obtain a suitable quotation for the supply and installation of a pedestrian bridge at Buffalo Creek in Barton Reserve.  (b) A further report be prepared for the Committee's consideration following receipt of the quotation.	Due Date of Report  Anticipated date  Group Public Works  Responsible Officer	<i>Site meeting arranged - Report anticipated October 2010. Updated 30/8/10.</i>

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9:24 AM

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## ITEM 15 (continued)

## ATTACHMENT 1

<b>Meeting Details</b> Council 24/08/2010	<b>Resolution</b> <b>RYDE TRAFFIC COMMITTEE</b>  PITTWATER ROAD, GLADESVILLE – Request for a Pedestrian Crossing – Marked or Signalised (iii) That a further review be undertaken and a report provided for the Committee's consideration in 6 months.  PRINCES STREET, RYDE – Pedestrian Refuge (iv) That a further report be prepared for the Committee's consideration in 6 months  MACQUARIE PARK CBD – Additional Bus Zones, Macquarie Park (iii) That a further report be prepared for the Committee's consideration.	<b>Due Date of Report</b>  Anticipated date  Group Public Works  Responsible Officer	<b>Comments</b>  PITTWATER ROAD, GLADESVILLE - Pedestrian Crossing AND PRINCES STREET RYDE - Pedestrian Refuge. These two (2) items will be included in the Agenda for the Ryde Traffic Committee on 31 March 2011 and submitted to Council for approval.  MACQUARIE PARK CBD - Additional Bus Zones. Report expected to Council on 28 September 2010. Updated 30/08/10.
<b>Meeting Details</b> Council 24/08/2010	<b>Resolution</b> <b>EXTENSION OF TOP RYDER COMMUNITY BUS SERVICE</b>  (c) A further report come to Council during the 2011/12 budget deliberations regarding the success in securing sponsorship/advertising deals to inform future decisions regarding the extension or cessation of the service.	<b>Due Date of Report</b> 12/04/2011  Anticipated date 12/04/2011  Group Environment and Planning  Responsible Officer Sam Cappelli	<b>Comments</b>  Report to Council Meeting on 12 April 2011.

22-Sep-10

9:24 AM

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Council 24/08/2010	<b>CRIME PREVENTION APPROACH - GLEN RESERVE, EASTWOOD</b> (b) That a further report on total costing for new lighting and other works be provided to Council after discussions with businesses and the Chamber of Commerce.	19/11/2010 Anticipated date 19/11/2010 Group Community Life Responsible Officer Chris Hellmuth	
Meeting Details	Resolution	Due Date of Report	Comments
Council 24/08/2010	<b>CODE OF CONDUCT REPORT</b> That Council ask Councillor Pickering to apologise and if he does so, that no further action be taken.	Anticipated date Group Responsible Officer	

22-Sep-10

9:24 AM

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## ITEM 15 (continued)

## ATTACHMENT 1

Meeting Details	Resolution	Due Date of Report	Comments
Committee of the Whole 7/09/2010	<b>COUNTRY COUNCIL PARTNERSHIP</b>  (c) That a further report be provided to Council, estimated December 2010, for Council's determination of the Expressions of Interest received.	31/12/2010  Anticipated date 14/12/2010  Group Corporate Services  Responsible Officer Shane Sullivan	<i>Report to be provided following calling for Expressions of Interest</i>

22-Sep-10

9:24 AM

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**CONFIDENTIAL ITEMS****16 DEPARTMENT OF HOUSING - Major Project at West Parade, West Ryde**

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**Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

**Report prepared by:** General Counsel

**Report dated:** 27/08/2010

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**17     ADVICE - Botany Council and NSW Housing**

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**Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

**Report prepared by:** General Counsel

**Report dated:** 1/09/2010

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**18 ADVICE ON COURT ACTIONS**

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**Confidential**

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice, and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

**Report prepared by:** General Counsel

**Report dated:** 6/09/2010

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**PRECIS OF CORRESPONDENCE FOR CONSIDERATION****1 JOINT STANDING COMMITTEE ON ELECTORAL MATTERS - Report on 2008 Local Government Elections**

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**Report prepared by:** Manager - Governance**Report dated:** 9 August 2010**File No.:** GRP/10/3/001/6 - BP10/461

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**Correspondence:**

Submitting correspondence from NSW Electoral Commission, dated 07 July 2010, regarding the Joint Standing Committee on Electoral Matters.

**RECOMMENDATION**

That the correspondence be received.

**ATTACHMENTS**

1 Ltr from NSW Electoral Commission

Report Prepared By:

**Shane Sullivan**  
**Manager - Governance**

Report Approved By:

**Roy Newsome**  
Group Manager - Corporate Services

## ITEM 1 (continued)

## ATTACHMENT 1

2004/313  
2007/1070



7 July 2010

Mr John Neish  
General Manager  
Ryde City Council  
Locked Bag 2069  
NORTH RYDE NSW 1670

Dear Mr Neish

**Joint Standing Committee on Electoral Matters – Report on 2008 Local Government Elections**

You may be aware that the Joint Standing Committee on Electoral Matters (JSCEM) tabled in Parliament on 1 June 2010 a Report on the 2008 Local Government Elections.

This was a very transparent process where councils, the New South Wales Electoral Commission (NSWEC) and other interested groups had an opportunity to place on the table all issues associated with the 2008 Local Government Elections. The JSCEM has now dealt with all these matters and I would encourage you to read the Report which is available at <http://www.parliament.nsw.gov.au/Prod/parliament/committee.nsf/0/8CA08B68B24A34BDCA257735001E0E49>.

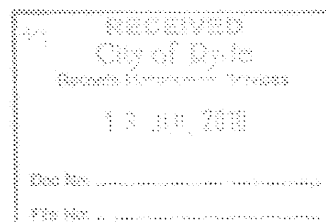
The JSCEM's report covers 16 key recommendations (attached). Some of these are administration matters which the NSWEC will work through with councils (including providing an early estimate of the cost for the 2012 Local Government elections). Other policy matters contained in the report, including the recommendation that councils be given a choice to have their elections held as universal postal ballots, are matters for the Government.

Following the 2011 State General Election the NSWEC will make arrangements with General Managers for a meeting to outline the approach that we will be taking to deliver the 2012 Local Government Elections.

Yours sincerely

A handwritten signature in blue ink that reads 'Colin Barry'.

Colin Barry  
Electoral Commissioner





## ITEM 1 (continued)

## ATTACHMENT 1

2008 local government elections

## List of recommendations

RECOMMENDATION 1: ..... 11

The Committee recommends that:

(a) each House of Parliament amend the resolution establishing the Joint Standing Committee on Electoral Matters to include a *standing reference* to inquire into and report upon:

- i. the conduct and administration of local government elections, and
- ii. any matter connected with the following laws as they pertain to local government elections -
  - the *Local Government Act 1993* and the Local Government (General) Regulation 2005;
  - the *Parliamentary Electorates and Elections Act 1912*; and
  - the *Election Funding and Disclosures Act 1981*.

(b) the Committee is to report upon the outcome of any such inquiry as soon as practicable after 12 months from the date on which the local government elections are held.

(c) each House consider passing a resolution to clarify that the Joint Standing Committee on Electoral Matters may inquire into and report upon any matter relating to local government elections as referred to it by either House of the Parliament or a Minister.

RECOMMENDATION 2: ..... 11

The Committee recommends that:

(a) the *Local Government Act 1993* be amended to require the Electoral Commissioner to provide a report to the appropriate Minister on each set of local government elections, within nine months of the election, and for the report to include details of the following:

- i. the role of the NSWEC;
- ii. electoral services provided to:
  - electors
  - councils
  - candidates, groups and political parties
- iii. recruitment and training of election staff, and the management of polling places;
- iv. counting and the provision of the election results;

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## ITEM 1 (continued)

## ATTACHMENT 1

Joint Standing Committee on Electoral Matters

## List of recommendations

- v. funding arrangements and the costs associated with the local government elections;
- vi. benchmarking of the conduct and administration of the local government elections; and
- vii. any relevant legislative amendments affecting the conduct and administration of the local government elections.

(b) consistent with Recommendation 2a, an amendment be made to the *Parliamentary Electorates and Elections Act 1912* to require the Electoral Commissioner to provide a report to the Premier in respect of each state general election, within nine months of the election.

(c) the relevant statutes be amended to provide that the reports by the Electoral Commissioner in respect of each state general election and local government election be tabled in Parliament within 14 days of receipt by the Minister.

## RECOMMENDATION 3: .....22

The Committee recommends that the Joint Standing Committee on Electoral Matters externally review the operation of the full cost recovery model for the 2012 local government general elections and, in light of the findings of that review, consider the necessity for engaging consultants to conduct any subsequent external reviews of the model.

## RECOMMENDATION 4: .....27

The Committee recommends that the NSW Electoral Commissioner ensure that detailed information about the budgeted and actual costs for the 2012 local government elections be provided to all council General Managers. Such detailed information should provide explanations as to what each line item covers, and how it has been calculated and allocated.

## RECOMMENDATION 5: .....45

The Committee recommends that a higher proportion of the NSW Government's advertising budget be spent advertising the next local government election in the fortnight preceding polling day.

## RECOMMENDATION 6: .....47

The Committee recommends that:

- (a) the NSW Electoral Commission continue to conduct stakeholder surveys on the conduct of the election;
- (b) detailed information on the survey responses be provided to the Committee as part of the material examined during the proposed review of the 2012 local government elections, in addition to any statistical compilation of survey results;
- (c) in conducting the surveys the Electoral Commission give particular attention to stakeholder views on the following issues, raised with the Committee during the course of this inquiry:
  - the Regional Returning Officer model;
  - resourcing, staffing and location of pre-poll and polling booths;

viii Parliament of New South Wales

**ITEM 1 (continued)****ATTACHMENT 1**

2008 local government elections

List of recommendations

- transportation of ballot papers;
- arrangements for scrutineering;
- election advertising;
- the Elector Inquiry Centre; and
- the counting of the vote.

RECOMMENDATION 7: ..... 50

The Committee recommends that:

- (a) the NSW Electoral Commission consider formulating a 'Service Charter for local government elections', to be developed in consultation with relevant stakeholders and modelled on the Commonwealth and State Government Service Charters for departments and agencies dealing with the public.
- (b) the proposed Service Charter be aligned to the corporate values of the NSW Electoral Commission around their four key result areas, as they relate to local government general elections.
- (c) the NSW Electoral Commission include in its report on the local government elections information on its performance in providing services for local government elections, benchmarked against the proposed Service Charter.

RECOMMENDATION 8: ..... 54

The Committee recommends that the following aspects of the Regional Returning Officer (RRO) model be given consideration by the NSW Electoral Commission in preparation for the 2012 local government elections:

- (a) the accessibility of RROs to the residents, candidates and staff of those councils not hosting the returning officer, including the possibility of the returning officer making visits to those other councils during the election period.
- (b) the use of a landline or free call contact number for all returning officers.
- (c) ballot paper transportation.
- (d) arrangements for pre-poll voting for those councils not hosting the RRO, including the possibility of employing part time electoral officials to cover those councils not hosting the RRO.

RECOMMENDATION 9: ..... 57

The Committee recommends that:

- (a) councils should continue to be responsible for the maintenance of the non-residential roll for local government general elections;
- (b) the NSWEC and Department of Local Government work to clarify the appropriate authority for providing advice to councils on inclusions and exclusions to the non-resident roll;
- (c) as part of the consultations with General Managers prior to the 2012 local government general elections, the Electoral Commissioner provide information to

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## ITEM 1 (continued)

## ATTACHMENT 1

Joint Standing Committee on Electoral MattersList of recommendations

councils on strategies to improve enrolment levels in relation to non-residential electors; and

(d) the NSW Electoral Commission continue to provide support for publication of information relating to the non-residential roll via the NSWEC website.

## RECOMMENDATION 10: .....57

The Committee recommends that the requirement that a candidate's signature on a local government election nomination form be witnessed by a Justice of the Peace be discontinued.

## RECOMMENDATION 11: .....66

The Committee recommends that:

(a) the *Local Government Act 1993* be amended to allow elections with universal postal voting for those councils who opt to use that method of election, in time for the 2012 local government elections.

(b) the Government undertake consultation on the best method for councils to use to decide to opt into a universal postal voting system.

(c) the NSWEC provide advice to the General Manager of local councils interested in universal postal voting as to the costs involved in taking up this option.

## RECOMMENDATION 12: .....69

The Committee recommends that prior to the 2012 local government elections, the NSWEC:

(a) review the methodology used to calculate projected voting figures and allocate ballot papers for polling places.

(b) review the policies and procedures in place to deal with any shortage of ballot paper that may occur on election day.

(c) review the method for determining staffing levels for polling booths on election day, including multi-ward and multi-council polling places.

## RECOMMENDATION 13: .....69

The Committee recommends that the Electoral Commissioner examine multi-council how-to-vote cards for multi-council polling places, with a view to allowing multi-council how-to-vote cards.

## RECOMMENDATION 14: .....74

The Committee recommends that more priority be given to disability access for polling places.

## RECOMMENDATION 15: .....85

The Committee recommends that the Electoral Commissioner:

(a) provide advice to General Managers as part of the consultation process in the lead up to the 2012 local government elections on the option of a local computerised count where required, including detailed information about the costs and resourcing issues.

**ITEM 1 (continued)****ATTACHMENT 1**

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2008 local government elections

List of recommendations

(b) report on any initiatives undertaken by the NSW Electoral Commission toward improving counting and publication of results in the Commission's next report on the local government elections in 2012.

RECOMMENDATION 16: ..... 88

The Committee recommends that the NSW Electoral Commission investigate the feasibility of abolishing the random sampling method for preference distribution and the alternative fractional methods currently available, and calculate the costs associated with moving to technology that would support an alternative method.

FINDING 1: ..... 91

The Committee finds that changes to the above the line preferential voting system in use for local government elections would require further examination, including wider canvassing of stakeholder opinion, such as that of political parties, candidates and electors.

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**2 JOINT REGIONAL PLANNING PANEL**

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**Report prepared by:** Manager - Governance**Report dated:** 13 August 2010**File No.:** GRP/10/3/001/6 - BP10/479

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**Correspondence:**

Submitting correspondence from Department of Planning, dated 03 August 2010, regarding applications dealt with by Joint Regional Planning Panel.

**RECOMMENDATION**

That the correspondence be received.

**ATTACHMENTS**

1 Ltr of acknowledgement from Department of Planning re JRPP

Report Prepared By:

**Shane Sullivan**  
**Manager - Governance**

Report Approved By:

**Roy Newsome**  
**Group Manager - Corporate Services**

## ITEM 2 (continued)

## ATTACHMENT 1



Planning



Mr Dominic Johnson  
Group Manager Environment & Planning  
City of Ryde Council  
Locked Bag 2069  
North Ryde NSW 1670

10/13866

Dear Mr Johnson

The Minister has asked me to thank you for your response to his letter of 18 May 2010 regarding the return of certain applications currently dealt with by the Joint Regional Planning Panel (Regional Panel) to council officer's under delegation.

I acknowledge the response of Ryde City Council that it is prepared to accept the delegations provided this is done without conditions. I understand that Council's current delegations enable the Council's General Manager to determinate any application where there are no objections. On this basis, the Department is able to recommend to the Minister and the Chair of the Sydney East Regional Panel that delegation be provided to Ryde City Council for these applications.

The Minister has also asked me to acknowledge that Council is currently taking a best practice approach for development assessment by ensuring that appropriate applications can be determined under delegation by appropriately qualified officers, while at the same time ensuring timely determination of applications for regional development.

The Department is currently waiting on responses from other councils in your region. Once the Department has reviewed and considered the comments received from those councils, the Department will finalise the recommendations to the Minister and the Panel Chair, John Roseth, and prepare the delegation applicable to your council area.

The Chair will then write to you with further details on the delegation, its use and its commencement date.

Yours sincerely

Marcus Ray  
Executive Director Assessment Systems, General Counsel

03/08/10

Department of Planning 23-33 Bridge Street, Sydney NSW 2000 GPO Box 39, Sydney NSW 2001  
Phone 02 9228 6111 Fax 02 9228 6455 Website planning.nsw.gov.au

**NOTICES OF MOTION**

**1 ALCOHOL FREE ZONE - Eastwood Town Centre - Councillor Li**

**File Number:** GRP/10/5/001/6 - BP10/524

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**Motion:**

That the General Manager prepare a report in consultation with Eastwood Police and other stakeholders to consider the merits of establishing an ongoing alcohol free zone in the Eastwood Town Centre area.



**NOTICES OF RESCISSION**

**NIL**